

The Government-Strikebreaker

BY
JAY LOVESTONE



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THE GOVERNMENT—STRIKEBREAKER

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THE GOVERNMENT— STRIKEBREAKER

*A Study of the Role of the Government
in the Recent Industrial Crisis*

By JAY LOVESTONE



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New York City

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FOREWORD

TWO powerful forces making for a sharpening of the class struggle have been greatly intensified and brought into bold relief by the World War. The Great War lent considerable impetus to the development of a highly centralized Government and a homogeneous working class in America.

This was ably pointed out for the first time by John Pepper, in his pamphlet, "*For a Labor Party—Recent Revolutionary Changes in American Politics.*"

That these tendencies are developing at a rapid pace is borne out by an analysis of the recent industrial crisis and the role of the Government therein. The unity between the Stock Exchange in Wall Street and the White House in Washington is becoming ever more close and ever more open. On April 17, 1923, Judge Elbert H. Gary, Chief Executive of the United States Steel Corporation, scored the present Immigration Law and made an urgent plea for a superabundance of cheap labor power. The next day, President Harding, Chief Executive of the United States Government, echoed the Steel Baron's opinions.

How rapidly this centralized Governmental power of oppressing the workers is growing! In 1919, the Government secured a sweeping injunction for the coal magnates on the basis of the Lever Act. In 1922 the Government, without the aid of even a formal law, secured a far more drastic injunction for the railway magnates. By the provisions of the McCumber-Fordney Tariff Act, the President is given the power to regulate tariff rates in utter violation of the Constitution. And by its decisions invalidating the Minimum Wage Law of the District of Columbia, the U. S. Supreme Court has decreed that the full military and judiciary powers of the Government shall be em-

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ployed for the legalization and perpetuation of starvation wages.

What is more, the capitalists are now preparing a new drive against the workers. The employers are organizing to launch a fiercer Open Shop Drive. This struggle promises to be the main issue of the 1924 Election. Already Strikebreaker-General Daugherty and Brigadier-General Dawes have dedicated the Republican Party to the Open Shop movement. The workers are facing a crisis. They must act and act quickly. They must repel the new capitalist onslaught. The workers must do more than that. The workers must so organize themselves as to be able to turn their campaign of defense into a successful offensive that will shell the employing class out of its powerful political and industrial entrenchments.

Too long have the militants in the American labor movement turned to other countries for their lessons and inspiration. Too long have the militants in the American labor movement neglected the struggles of their *own* working class. In the investigation of our recent industrial crisis and the role of the Government therein, in the study of the class conflicts, and in the analysis of the conditions under which the giant industrial battles were fought, I have put my conclusions completely at the mercy of the facts. My policy was to resort to official authoritative documents and figures, and to rely on the collation and regimentation of this data for establishing the conclusions.

The object of this study is to present to the American workers the story of their recent heroic battles against employing class oppression in such a manner as to aid them in their new struggles for freedom. To the extent that this effort of mine helps the working class in achieving complete liberation from capitalist tyranny and exploitation, to that extent will the author consider his purpose attained.

JAY LOVESTONE.

New York, May 1, 1923.

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THE GOVERNMENT—STRIKEBREAKER

CHAPTER I.

THE GRAND OFFENSIVE AGAINST THE WORKERS

The Government's Labor Policy During the War.

OUR participation in the World War had a beneficial effect on the trade unions. In the course of the war the membership of the American Federation of Labor doubled. The railway unions especially made great gains. They won a foothold on many systems which had previously refused to deal with them. In this phenomenal rise the organizations of the unskilled workers grew at a particularly rapid pace. The membership of the United Brotherhood of Maintenance of Way Employees and Railway Shop Laborers rose to 325,000 in 1919. In 1920 the membership of the International Seamen's Union totalled 115,000. Many other industries that had previously successfully resisted unionization became strongly organized.

The Government recognized the utter impossibility of winning the war without an effective mobilization of the labor forces. This knowledge on the part of the Government was in a large measure responsible for many gains made by the unions. Formal invitation to assure the accomplishment of this task was extended by the Government to the Railway Brotherhoods, the American Federation of Labor and many other labor bodies. This policy of the National Government was clearly expressed by the War Labor Board:

“The right of workers to organize in trade unions and to bargain collectively thru chosen representatives is recognized and affirmed. This right shall not be denied, abridged, or interfered with by the employers in any manner whatsoever.”¹⁾

Speedy, unrestricted output in industry is today indispensable to a nation at war if it is to be saved from defeat. The Government found it easier to achieve this output by dealing with organized workers who were directed and controlled by a conservative or reactionary leadership than by trusting to the undirected whims and wishes of a dissatisfied, unorganized mass of workers. The government was compelled by the sheer necessity of avoiding disaster during the war, to adopt this policy towards the unions.

Besides, the successful prosecution of the war required *Burgfrieden*—class peace. When the United States entered the war the country was in the throes of great industrial unrest. In 1916 and 1917 there were reported by the Department of Labor 8,239 strikes and lockouts.²⁾ The year 1917 was a record year of 4,324 strikes reported by the Department of Labor.³⁾ Contentment at home is also a condition prerequisite for attaining the end to which the Government subdued everything else—victory in war. The Government was therefore compelled by political as well as economic conditions to adopt at least a seemingly non-hostile attitude towards the labor unions.

“Wait Till the War Is Over.”

The more conscious and far-sighted representatives of the capitalists, their political leaders and skilled diplomats saw in

1) Report of the Secretary of the National War Labor Board 1919, P. 523.

2) Monthly Labor Review—June 1920, Vol. 10, No. 6, page 204.

3) Monthly Labor Review—May 1922, page 181.

the working-class revolution in Russia and the flames of war a menace to the whole capitalist fabric of exploitation and oppression. These spokesmen of the employing class saw the need of subjecting everything else to the one end of a victory of Allied Imperialism—an end in which they could find their only hope for securing their system. In the interest of this greater aim, some ground was temporarily yielded to the workers.

But the American capitalists only grudgingly and resentfully attuned themselves to this condition. They were whetting their knives for more blood. In the powerful conclaves of Wealth and Privilege the slogan was: "Wait Till the War Is Over." The capitalists were marshalling their forces for the "grand offensive" against the working class.

This campaign to crush the workers was somewhat delayed by the continuation of the war prosperity. But the capitalists lost no time. Their Government, their press, and their detective agencies, were busily preparing the ground for a "fight to the finish."

The Reversion to Normalcy

The declaration of the Armistice was a signal for an intensified labor struggle in the United States. For two years following the cessation of hostilities, America grappled with the problems of readjusting its machinery of production and exchange to a peace basis. This readjustment has not yet been completed; if it ever will be.

By the fall of 1920 we were well on our way to a peace basis. And with the return to "normalcy" the economic crisis in which America found itself on the eve of the World War gripped the United States more deadly than ever. The great depression began in the latter months of 1920. The year 1921 was the worst the United States had known.

But the reversion to "normalcy" also brought with it the greatest industrial crisis in our history—the overwhelming strike wave in 1922. Never before had the country witnessed such bitter class conflicts. Textile workers, soft stone cutters, granite cutters, miners and railwaymen were the vanguard of the heroic army of resistance to the employers' wage-cutting and union-smashing offensive. Never before in our industrial history have there been such large numbers on strike and never before have the workers remained out for such long periods. Outwardly, these and the many other strikes appear only as disputes over wages or hours of labor. Fundamentally, the strikes of 1922 were far more significant. They were a revolt against the powerful campaign waged by the captains of finance and industry to uproot every vestige of working-class organization. The strikers fought these battles primarily to uphold these organizations which they had built up thru years of painful struggle.

The Government in Its True Role

Many workers maintain that the Government is the centralized, directing organ of capitalist oppression—the executive committee of the employing class. The history of the "grand offensive" against the workers, the great Open-Shop drive of 1920 completely bears out this truth. By means of its policy of repression in the Steel and Mine Strikes of 1919 and the vicious "Red Raids" of 1920 the Government prepared the ground for the country-wide attack on the working class.

In the Steel Strike troops were freely put at the disposal of the mill owners. Complete denial of the freedom of speech and assembly followed. Police brutality, Black Cossack terrorism, assaults and arrests were the order of the day.⁴⁾ In the Pittsburgh district meetings were prohibited as soon as the organiza-

4) Public Opinion and the Steel Strike, Pages 163 to 220.

tion campaign opened. The sheriff of Clairton ordered on September 21st that "there should not be any meetings of any kind anywhere."⁵⁾ That the object of this campaign of terrorism was to break up the campaign of unionization was evident. Apropos of this situation the Department of Labor plainly said:

"This denial of free speech and free assemblage had an undeniable influence on the strike. In Duquesne, for example, where meetings were prohibited, approximately 50% of the men were reported to be organized. In Cleveland and Lackawanna, where the men were allowed to meet, approximately 80% were reported to be organized and the mills practically closed down when the strike was called."⁶⁾

The victory achieved by the Steel Trust thru the aid of the Government lent great impetus to the Open-Shop drive. The policy of Gary's corporation "not to deal with Union labor leaders at any time" became the battle-cry of the Open-Shop warriors.

In the Mine Strike the Government pursued the same strike-breaking policy. The Democratic President Wilson declared the strike illegal. On October 24, 1919, he said that:

"From whatever angle the subject may be viewed, it is apparent that such a strike in such circumstances would be the most far-reaching plan ever presented in this country to limit the facilities of production and distribution of all the necessities of life. *A strike under these circumstances is not only unjustifiable; it is unlawful.*" (Our italics).

This declaration is a model anti-union statement. It has served as the source of inspiration to several of Harding's anti-labor messages.

5) Senate Committee on Education and Labor, Vol. 2, Page 518—investigating the Steel Strike.

6) Monthly Labor Review, Dec. 1919, Vol. 9, No. 6, Page 92.

The Democratic Attorney-General Palmer spoke almost the very words subsequently used by his Republican successor, Daugherty, during the Railroad strike. On October 29, 1919, Palmer declared:

"The illegality of the strike can and will be established without in any way impairing the right to strike, and the general right to strike is not the issue in any sense whatsoever in the present situation. This is true because the circumstances differentiate this case from the case of any other strike that has ever taken place in this country. It does not follow that any strike is lawful merely because the right to strike is recognized to exist." (Our italics).

In the same statement Palmer pretended to be solicitous of the laborer's inherent right to work and posed as a defender of the "right kind" of unionism. He announced:

"Indeed, I am hearing from many sources that large numbers of the miners themselves do not wish to quit work and will not do so if assured the protection of the Government of which they properly feel themselves a part. It is probably unnecessary for me to say that such protection will everywhere be given, so that men may exercise their undoubted right of continuing to work under such times and conditions as they shall see fit. The facts present a situation which challenges the supremacy of the law, and every resource of the Government will be brought to bear to prevent the national disaster which would inevitably result from the cessation of the mining operations." (Our italics).

Here we have an official endorsement of Government strike-breaking. We have the same hypocritical talk of the "Right to work" — by strikebreakers — to the detriment of the working class. The unbridled hypocrisy of all this talk of the "right to work" yells for help when one thinks of the fact that this same Government did not utter a single word or take a single step to-

wards guaranteeing this much-vaunted inherent right to the millions of honest workers who were unemployed in 1914 and who refused to betray their brother-workers who may have been striking then.

Our Democratic Congress was not to be outdone by the President and the Attorney-General. The Senate made haste to endorse their strikebreaking activities and adopted the following resolution (S. Con. Res. 15—House of Representatives Concurring):

“Whereas, the enforcement of the law and the maintenance of order for the security of life and property and the protection of the individual citizen in the exercise of the constitutional rights is the first and paramount duty of the Government and must be at all times vigorously and effectively safeguarded by the use of every means essential to that end: therefore be it

“Resolved by the Senate (the House of Representatives concurring)”, That we hereby give the National Administration and all others in authority the assurance of our constant, continuous, and unqualified support in the use of such constitutional and lawful means as may be necessary to meet the present industrial emergency and in vindicating the majesty and power of the Government in enforcing obedience to and respect for the Constitution, and the laws, and in fully protecting every citizen in the maintenance and exercise of his lawful rights and the observance of his lawful obligations.”

On November 8th, 1919, the Government's lawyers, the Department of Justice, procured for the coal operators an injunction restraining the union officials from aiding the strike in any way by “messages of encouragement or exhortation,” or from using any of the union funds for strike benefits. This injunction was based on the Lever Anti-Profiteering Act, a law enacted supposedly to stop profiteering while the war was on. This law was

not used against the capitalists. It was turned against the workers. On November 14, 1919, came the declaration of the reactionary labor leaders calling off the strike under the plea of "we won't fight our Government." This confession of bankruptcy was a grim monument to the power of the United States Government as strikebreaker.

The Government Organizes Wholesale Raids on Workers.

Thru the "Red Raids" of January 1920, the Government threw its last spadeful of earth in preparing the ground for the subsequent powerful Open-Shop drive. Thousands of militant workers were arrested. Hundreds were deported. The attack was launched against the foreign-born workers who form a very large proportion of our working class. In this attack the Communist Party of America was driven underground and the Government succeeded in intimidating hundreds of thousands of foreign-born workers. The industrial unrest gripping the country was given a Red tinge. "Un-Americanism," "disloyalty," "treason" and "bolshevism" were the stock-in-trade of the Government's fake advertising campaign of the Open-Shop drive. The object was twofold: to blind and divide the workers by injecting the nationality issue into the struggle, and to break the morale of the whole working class by meting out severe punishment to its most advanced advocates. By a campaign of unparalleled brutality the militant spirit of the workers was dealt a crushing blow. The ground was fully prepared for the heavy artillery of the employers to open up its infernal barrage on the workers.

The Open-Shop Drive

Open-Shop campaigns are not new in America. But the Open-Shop drive launched in 1920, on a country-wide scale, was by far the best organized and the best financed we have yet had.

It was strongly centralized thru the powerful leadership of the Steel Trust whose tentacles reached out to all phases of industry thru its numerous interlocking directorates, banks, and the control of coal, railroads, cement, and many other basic industries. Gary was the High Priest of this unholy crusade against the working class.

The Democratic President appointed Gary as a representative of the "public" to his First Industrial Conference. At this conference, Wilson's attempt to stave off the industrial conflict was sunk beneath a sea of words. Gary made an impassioned plea for the Open-Shop on behalf of the "public." Wilson's Second Industrial Conference was a fizzle for the same reasons.

Masked under such names as the "American Idea," the "American Plan" and 57 other varieties of this brand of Americanism the drive made tremendous headway. Chambers of Commerce, Kiwanis Clubs, Rotary Clubs and many other commercial organizations loyally fell in line and formed a compact network of Open-Shop nuclei thruout the country. In its Referendum No. 31—"Employment Relations"—held June 9th to July 24th, 1919, the United States Chamber of Commerce adopted the following resolution by a vote of 1676 against 4:

"The right of open shop operation, that is the right of the employer and employee to enter into and to determine the conditions of employment relations with each other, is an essential part of the individual right of contract possessed of each of the parties."

Over 1,500,000 pieces of propaganda literature were put out in 1920. On October 15 of the same year the National Association of Manufacturers openly announced the establishment of a special Open-Shop Department to direct the drive. In a speech delivered before the National Founders' Association, President William H. Barr spoke in this manner:

“A change has been brought about by the determination of men to free themselves from the unsound and unnatural control so imposed upon them. Today, that determination is manifest in the Open-Shop movement. Its progress is a matter of economy to those who began it; of consolation to those engaged in industry; and a stimulant to the patriotism of everyone. A partial, but careful survey of irresistible activities in behalf of the Open-Shop show that 540 organizations in 247 cities of 44 States are engaged in promoting this American principle in the employment relations. A total of 23 national industrial associations are included in these agencies. In addition, 1665 local Chambers of Commerce, are also pledged to the principle of the Open-Shop.”

On January 16, 1921, Mr. J. Philip Bird, General Manager of the National Association of Manufacturers, made a similar boast. He said:

“More than five hundred organizations in 250 cities have now endorsed the Open-Shop plan and prominent manufacturers declare they could not stem the tide if they wished.”

Thru the energetic efforts of the Manufacturers' Association of Illinois—an organization vying with the Associated Employers of Indianapolis for the prime honors in giving a national color to the organization of the drive—the first national Open-Shop convention, the “American Idea Convention,” was called to order in Chicago on January 21st, 1921.

Among the leaders of this open shop drive were to be found the following organizations: The National Association of Manufacturers, National Open-Shop Association, the National Erectors' Association, the National Founders' Association, the National Metal Trades' Association, and the League for Industrial Rights.

Object of the Drive

The Industrial Relations Committee thus defined the object of the Open-Shop movement:

"The 'Open-Shop', even if union men are not discriminated against, is, as much a denial of the right of collective action as the 'Anti-union-shop'." In neither is the collective action of the employees permitted for the purpose of negotiating with reference to labor conditions."⁷⁾

And in a letter to the *Weekly Review* (January 12, 1921), Mr. Ernest G. Draper, President of the American Creosoting Co., writing on the significance of the Open-Shop drive said:

"They are out to crack organized labor and crack it wide open. They will do it carefully, secretly, perhaps, with the aid of any convenient slogan. But they will do it if they can."

The National Catholic Welfare Council saw the purpose of this movement very clearly. Its Social Action Department made the following statement:

"The Open-Shop drive masks under such names as the 'American Plan' and hides behind the pretense of American freedom. Yet *its real purpose is to destroy all effective labor unions and thus subject the working people to the complete domination of the employers.* Should it succeed in the measure that its proponents hope, it will thrust far into the ranks of the underpaid the body of the American working people."⁸⁾ (Our italics).

The philosophy of this drive has been clearly elucidated in a speech delivered by Judge Gary at a meeting of the stockholders of the United States Steel Corporation on April 18, 1921:

7) U. S. Commission on Industrial Relations, Final Report, 1915, P. 64-65.

8) The Survey, Dec. 4, 1920, Page 350.

"I believe they (the labor unions) may have been justified in the long past, for I think the workmen were not always treated justly; that because of their lack of experience or otherwise they were unable to protect themselves; and therefore needed the assistance of outsiders in order to secure their rights.

"But whatever may have been the conditions of employment in the long past, and whatever may have been the results of unionism, concerning which there is at least much uncertainty, there is, at present, in the opinion of the large majority of both employers and employees, no necessity for labor unions; and that no benefit nor advantage thru them will accrue to anyone except the union labor leaders.

"But still our opinion is that the existence and conduct of labor unions in this country, at least are inimical to the best interests of the employees, the employers and the general public."

Professor Commons has characterized this philosophy in these words:

"The Steel Corporation has kept ahead of the game; not by doing better than the labor unions can do, but by doing worse and doing it in the name of 'Liberty and the Open-Shop'."⁹⁾

The Open-Shoppers At Work

A. SECRECY

The Open-Shoppers did not stop at anything to crush labor. A subsidized press, a hiring church, undercover men and methods shrouded in sinister secrecy characterized their drive against the workers. Apropos of this, Prof. Clarence E. Bonnett says:

"There is much that is confidential and secret about associations. In the conflict, one must not let

9) Industrial Government, by John R. Commons, Page 265.

one's opponent know in advance one's plans or proposed methods, nor one's real fighting strength, unless that is so great as to intimidate one's opponent. For this reason, much of the work of the associations is conducted secretly. In some cases, lists of members are not made public because some of the employers fear that the unions may single them out and punish them. It also permits an employer apparently to be friendly to the union, because he dares not fight it openly, yet to fight it secretly. Then there are doubtful practices which the association engaging in them, does not wish to make public. Illegal activities are of the last sort."¹⁰⁾

Much capital has been made by the propagandists of this anti-union conspiracy concerning the spontaneity of their movements. The following typical appeals of Open-Shop organizations rip the veil off this "spontaneity":

AMERICAN EMPLOYERS OPEN SHOP ASSOCIATION

Suite 356, 29 So. La Salle Street

Chicago, Illinois, Nov. 23, 1920.

.....Co.

Attention General Manager:
Omaha, Neb.

Dear Sir: We are writing you at this time to attempt to get you or your company into the Open-Shop Association.

As the time is ripe for all manufacturing concerns to run their shops as they see fit, and not to be dictated to by some unscrupulous delegate from some union.

You may see the point that we are driving at very clearly. The Open-Shop Association will do a great deal for its members.

1) Should you be threatened with a labor con-

¹⁰⁾ Employers Ass'ns. in the United States, by Clarence E. Bonnett, Page 552.

troversy or strike, you can immediately get in touch with us and we will handle that situation for you.

2) Should you want *an undercover man on the inside* among your employees, we will also furnish you such a man, and you will receive a daily report on what is going on.

3) In the event of trouble, we will replace any man that may strike against you.

4) *We establish Welfare Clubs in your plant from which you derive a lot of benefit*; and all manufacturers are alive to this issue.

Our membership is growing larger every day and we would be glad to have you also fill out the accompanying application for membership in this institution. The initiation fee is \$50 and the yearly dues is \$25.

Trusting that you will acknowledge receipt of this letter, we remain,

Yours truly,

AMERICAN EMPLOYERS OPEN SHOP ASSOCIATION.¹¹⁾

Here is another letter sent out by the National Open-Shop Association with headquarters at Indianapolis, Philadelphia and San Antonio:

"Gentlemen: We have been in correspondence with your Manufacturers' Association relative to us organizing a local Open Shop Association in your city for the purpose of putting into effect there the principles of the Open-Shop, a copy of which we are enclosing you.

"So as to proceed with this work effectively, we desire to secure 25 charter members and we are writing you in strict confidence, hoping that you can see your way clear to signify your willingness to join us in this movement providing we find it advisable to go ahead with our plans.

"This work must be clothed with the utmost secrecy, as we have found that publicity usually defeats

11) See "The Open Shop Drive" by Savel Zimand, Page 37.

our purposes. For this reason you can feel sure that we will treat the matter in strict confidence.

"Please let us hear from you regarding the matter, and we will gladly furnish any additional information you may desire.

"NATIONAL OPEN SHOP ASSOCIATION.

(Our Italics) "(Signed) James L. Glass, Sec'y."¹²⁾

B. PRESS AND CHURCH

The report of the Interchurch World Movement affords an excellent study of the splendid services rendered by the Press and Church to the Steel Trust, the heart and soul of the National Open-Shop movement.¹³⁾

C. UNDERCOVER MEN

This same authority investigating the Steel Strike of 1919 has conclusively proved that the Open-Shoppers make very wide use of undercover men.

Mr. Sidney Howard investigating the use of "invisible service" agencies for the *New Republic* showed that one of these firms has done so much business during a year that it was paying an annual income tax of \$258,000.

Quoting from the testimony of Mr. Sherman of the Sherman Service, Inc., in its injunction suit against the Butler Agency of Philadelphia, Mr. Howard presents the following:

"Thru our secret operatives and particularly those who had gained influential positions in the local organization, we are able to anticipate every move of the strikers and by this means . . . were able to have several arrests made which resulted in proper convictions.

12) Quoted by Samuel Gompers in the *American Federationist*, Oct. 1922, Page 733.

13) *Public Opinion and the Steel Strike*—Pages 87-163 and Pages 261-306.

"The local union was disorganized and that national industry of which our client is the great majority, has not been unionized."¹⁴⁾

Another method of the drive is that employed by the Corporations' Auxiliary Company.

"CORPORATIONS' AUXILIARY COMPANY

"1836 EUCLID AVENUE,

"Cleveland, Ohio, October 18, 1920.

"Personal and Confidential

"Gentlemen:

"Enclosed is a folder entitled 'The Power of Knowledge' that briefly points the way for you to *obtain mastery over every labor problem in your organization.*

"Many of the biggest, ablest, and most successful executives in the United States today, will join us in recommending to you, the service outlined in this folder.

"The writer or one of our other executives will be in your vicinity the week after next and will be glad to arrange his appointments to call on you. He will explain in person exactly what we can do for you. This consultation will obligate you to nothing.

"Will it be convenient for you to make an appointment during the week after next?

"Thanking you in advance for the courtesy of your reply, we are,

"CORPORATIONS' AUXILIARY COMPANY,

"(Signed) J. H. Smith,

"President."¹⁵⁾

D. BOYCOTT

In his testimony before the Lockwood Joint Legislative Committee, Mr. C. E. Cheney, Secretary of the National Erectors' Association gave evidence of the solidarity permeating the ranks

14) The New Republic Feb. 23, 1921, Page 363.

15) Quoted by Savel Zimand in "The Open Shop Drive," Page 38.

of the Open-Shoppers. He testified that the National Fabricators' Association had

"adjusted the policy of the members so that the steel fabricated by them is erected in Open-Shop."

And the Iron League, another implacable foe of organized labor, adopted the following resolution at a special meeting:

"Complying with the order of the Board of Governors of the Building Trades Employers' Association, no advance in wages can be made and the secretary will so notify members."

E. THE OPEN-SHOP UNION

Another method of fighting unionism is thus treated by Professor Bonnett.

"The belligerent associations did not make an unconditional surrender. The entire ground of the struggle is now being fought over again, and with more bitterness than ever before. The records show that we have been passing thru the greatest strike period of all history. Any one who has studied the attitude and activities of the belligerent associations during the past twenty years will be inclined to believe that the unions will lose much of the ground they gained during the war period of 1914-1918.

" . . . During the period 1919-1921 many 'open-shop' associations have been formed in various localities. Employers in many industries are attempting to free themselves from union domination fastened upon them during the war. One of the most discussed methods of fighting unionism is the 'Shop Union'—that is the union of only the employees in a shop. Such a union has no 'entangling alliances' with any other union."¹⁶⁾

16) Prof. Clarence E. Bonnett in "Employers Ass'ns. in the U. S., Pages 28 and 30.

Results of the Drive

No union was immune from this fierce capitalist onslaught. Even for the railroad workers the right to organize became a vital issue. In decision No. 220, August 3, 1921, the U.S. Railway Labor Board held: "That the Carrier (the Pennsylvania Railroad) was right in insisting upon proof that the organization represented a majority of the workers involved," before dealing with it. This was intended as a mortal blow at labor unionism on the railways. It was the entering wedge for the smashing anti-union offensive of the Railway Corporations, and it was the Government that struck the first blow.¹⁷⁾

Summing up the effect of this drive on the workers, Samuel Gompers portrayed the following picture:

"The fact is that these organizations had to fight for life. They have been driven to fight for their existence, for their freedom, for the very bedrock rights of American free men. They have seen employers break contracts, they have had to resist drastic wage reductions, they have been confronted with innumerable oppositions, defiances and blows at their very existence. The Miners, the Printers, the Granite Cutters, the Quarry workers, the Packing House workers—these are but some of the organizations with which organized employers have wantonly broken their pledged word, their written agreement. The workers have had the proof in their daily experiences. Tomes could tell them nothing more."¹⁸⁾

17) Bulletin No. 303, U. S. Bureau of Labor Statistics, March 1922, Page 94.

18) The American Federationist, Oct. 1922, Page 738.

CHAPTER II.

THE GREAT DEPRESSION

Depression Sets in

WHILE the workers were being driven back by the capitalists a severe depression overtook the country.

By the middle of 1920 the prices of bonds reached the lowest level since the Civil War. By July 1921, pig iron fell to a point relatively lower than that reached in any other depression. The volume of business dropped 25%—a 5% greater fall than is usual in depression. For the fiscal year ending June 30, 1921, the export of cotton fell three million bales below the average of the five years next preceding the war.

Chief among the causes of this economic crisis were the collapse of America's European market and the difficulties involved in the problems of readjusting the mechanism of production and exchange to a peace basis. In 1921 our total exports declined 45% and those to Europe and South America fell off by two billion dollars. Our total imports declined 52%.

That this decline in foreign trade is not yet over is evident from the report of the Department of Commerce for the fiscal year ending June 30, 1922. America's total foreign trade for this fiscal year was \$6,379,000,000 as compared with \$10,170,000,000 in the previous year. In the last year imports fell from \$3,654,000,000 to \$2,608,000,000 and exports fell from \$6,516,000,000 to \$3,771,000,000.

Deflation and Unemployment

At the same time the financiers tightened up on credits. The campaign of deflation was on. Addressing the U. S. Senate on Sept. 20, 1922, the late "Tom" Watson of Georgia, pointed out that:

"In December, 1920, there was in circulation 34 billion dollars. In December, 1921, there was in circulation 24 billion dollars.

"There was a difference of ten billion dollars and the veriest amateur in the study of economics, knows in his mind, his heart and his soul that it is a crime to take that amount of money out of circulation in so short a period. It is bound to mean abandoned farms and broken homes. It is bound to mean destitution, beggary, and suicide. It has always been so and always will be so.

"Those who control the volume of money are like those who have their hand around your neck. They can choke off or let on the flow of blood.

"Unless this system is changed this Government is going into a vortex of revolution and a new Government will arise and take its place."

The very men who during the war were calling for more and more production, were now shutting down mills and factories. With the demobilization of the Army and Navy, hundreds of thousands were thrown into the already huge army of unemployed. Writing on this crisis in the winter of 1921-22 to his Conference on Unemployment, President Harding said: "We have just passed the winter of the greatest unemployment in the history of our country."

The number of unemployed had been estimated to range up to six million. In October 1921, the President's Unemployment Conference, making a conservative estimate, declared "The Conference finds that there are estimated from 3,500,000 to 5,500,000

unemployed and there is a much greater number dependent upon them." In so far as remedial steps were concerned, the conference turned out to be a flat fizzle.

Bitterness of the Struggle

The intense bitterness of the class conflict grew out of the political and economic conditions. Terrified by the disturbed world political conditions, the capitalists determined to smash every organ of working-class resistance. The unions, of course, had to bear their share of the attack.

The severe depression with its millions of unemployed gave the employers further stimulus to cut wages and rob the workers of the laboring conditions previously won. The capitalists saw their only chance of securing profits approaching the fabulous war gains thru a reduction of wages, thru the lengthening of the hours of labor and the progressive deterioration of the working conditions.

That the fierce determination of the capitalists to slash wages was due in a large measure to their becoming profit-mad during the war period can be seen from the gigantic profits they reaped then. In four of the industries closely allied to railroads, we had the following surpluses piled up during 1916-1920.

Steel	\$825,958,160
Coal and Coke.....	139,075,444
Equipment	139,791,071
Other Supply Concerns	182,782,372

Grand Total\$1,287,607,047 ¹⁾

Senator Capper in a speech before the Senate declared that the fabulous profits paid to the coal barons and steel magnates during the war more than paid for the whole value of the coal

1) From the Testimony of Bert M. Jewell of the Railway Employees Department of the A. F. of L. before the Railway Labor Board, March 1922.

mines and steel mills. Throughout the war the Government failed with unfailing regularity to regulate the prices of copper, gasoline, steel and coal—the very commodities whose owners were the backbone of the Open-Shop drive.

Senate Document No. 259 discloses a legion of facts as to riotous profiteering running into thousands of per cent in some instances.

On the basis of the income tax returns, ex-Secretary of the Treasury, Wm. G. McAdoo charged that the profits of some coal operators ranked as high as 2000 per cent and that 100 per cent profits on capital stock were not uncommon.

During the war the banks of the U. S. made a profit of \$1,747,605,000. This sum was three times as great as for a similar period before the war.

Pungent comment on this mass of profits is made by John Thomas Taylor, Legislative Representative of the American Legion, in a letter to Congressmen and Senators:

“These enormous bank profits of nearly one and three quarters billions of dollars are in addition to the profits which were not retained such as dividends, extra dividends and bonus payments to their own employees during the war period.

“A large proportion of these unprecedented profits were made and retained by the New York banks controlled by the great financial interests which are leading the fight against adjusted compensation for veterans on ‘principle’. One might say on ‘principal and interest’.”

When the bottom fell out of the European market and the world depression seized America these huge profits ceased to flow. But the capitalists were determined to continue making the greatest profits possible. They organized a terrific campaign against the workers to deflate them of more of their already meagre earnings.

A Study in Contrast

Let no one for a moment cultivate the notion that the employers were ruined by the depression. A perusal of the columns of the financial press reveals a startling one-sidedness in the casualties suffered by the workers and their capitalist exploiters. The score is positively and decisively against the workers.

Judged by the number of business failures, January 1922 hit the bottom at 2,723. This same month hit the peak of dividend and interest payments, \$359,800,000.

In 1921 average monthly payments of dividends and interest to security holders totalled \$296,000,000. Taking 1913 as a normal year, this was an increase of 100%.

And according to the monthly records of dividend and interest payments made by the Journal of Commerce of New York, payments were 4% greater in 1921 than in 1920, when we take the actual income as a whole.

From the following survey, covering 29 corporations, it is seen that many companies fared even better in 1921, the year of depression, than in 1920, one of the prosperity years.

Table Showing Net Profits of Corporations in Prosperity of 1920 and in Depression of 1921.¹

Name of Corporation	1920		1921	
	Net Profits	Dividend Paym't Per Share	Net Profits	Dividend Paym't Per Share
American Telephone and Telegraph Co. . .	\$51,821,215		\$54,002,703	
American Woolen Co. . .	4,626,855	\$ 4.57	6,006,648	\$ 8.01
Associated Dry Goods. .		4.11		10.24
Atchison, Topeka & Santa Fe R. R.	37,380,590	13.98	41,268,307	14.69
Atlantic Gulf and West Indies Steamship Lines	148,231		1,781,337	

NET PROFITS OF CORPORATIONS—Continued

Name of Corporation	1920		1921	
	Net Profits	Dividend Paym't Per Share	Net Profits	Dividend Paym't Per Share
Baldwin Locomotive Works		\$15.14		\$18.22
California Petroleum Corporation		9.29		11.45
Chicago, Indianapolis & Louisville R. R.	—\$1,133,893 (loss)		\$723,564	
Commonwealth Power, Railway & Light Co.	797,738		1,838,767	
Delaware & Hudson Railway Co.	4,933,162		4,937,452	
Elgin, Joliet & Eastern Railway Co.	1,088,316		1,260,777	
Endicott Johnson Corp..	3,150,441	6.43	4,642,889	10.79
General Electric	26,420,616		28,155,667	
Lackawanna R. R.	14,658,444		19,518,403	
Lehigh Valley R. R...	1,596,963	2.62	9,788,066	8.29
Missouri, Pacific R. R.	3,033,075		3,537,018	
N. Y. Central R. R....	13,734,687	5.50	22,295,685	8.93
N. Y. Telephone	6,070,073	4.04	13,244,543	8.29
Northern Pacific R. R.	19,094,184		22,065,399	
Pere Marquette R. R.	1,393,972		3,765,879	
Public Service Corp. of New Jersey	2,218,408	5.12	3,594,629	9.19
R. G. Reynolds Tobacco	10,691,294		16,258,322	
Southern California Edison Co.	3,071,795		3,444,027	
Studebaker Corp.		15.20	10,409,601	16.20
Tennessee Copper & Chemical	—285,889 (loss)		147,175	
U. S. Realty & Improvement	2,487,803	15.39	2,704,651	16.73
Virginia R. R. Co....	3,287,461		5,245,827	
Wabash R. R. Co.	—7,369,827 (loss)		2,017,575	
Wells Fargo & Co....	453,041	1.89	1,279,707	5.34

The Workers Lose

Now let us see whether the workers were subjected to the same "casualties."

Analyzing the 1921 payrolls of 1648 concerns, employing one third of the total number of factory workers in the State, the New York State Industrial Commission concluded that because of wage cuts and unemployment, the workers got but 71.4% of what they received in 1920.

In the analysis by the Wisconsin State Industrial Commission of 211 payrolls in 1921 covering one third of all the industrial workers, we find that the workingmen in Wisconsin received only 55% of the 1920 wage.

A comparison of the wages the New York State workers received in December 1921 with those received by them at the peak of prosperity in 1920, shows that in the wage-fall their pay had gone down fully 33-1/3%. On the same basis the Wisconsin workingmen suffered a cut of more than 50%.

Even such a strongly conservative authority as the National Industrial Conference Board has found that:

"The percentage of decline for the three groups from the peak months up to July 1921 were as follows: Common labor, 17.3 per cent; skilled labor, 15.2 per cent; women, 14.6 per cent."²⁾

Investigation of wage cuts by industries in the period of depression made by so conservative an agency as the Jacobs Company of Chicago gives us a more detailed picture of how the workers, unlike their employers, suffered from the depression.

2) Research Report No. 45, December, 1921—Page 8, National Industrial Conference Board.

Industry	No. of workers involved	No. of Establishments involved	Per cent Wage-Cut
Boot and Shoe .....	.....	39	17.5
Building trades	500,000	in 183 cities	17.1
Clothing workers	100,000	..	16.7
Cotton, Wool and Leather Manufacturing	340,000	69	20-24
Iron and Steel .....	.....	..	19.2
Mining .....	.....	..	19.5
Miscellaneous Industries	866	..	16.4
Packers	200,000	..	25.5
Public Employees	100,000	in 58 cities	16.5
Railway and Express ..	1,879,000	..	12.5
Silk manufacturing ....	.....	25 mills	16.2
Street Railway and and other Utility Men	140,000	..	14.8

For five million workers the Jacobs Company found an average wage reduction of 16.1% in 1921 alone.

The Sixth Bi-Monthly Survey of the National Industrial Conference Board, May 1922, further found that in 1921 the wage decreases ranged from:

Per Cent Wage Cut	Industry
5 to 25.....	In the Building trades
10 to 25.....	In the Clothing trades
20	In the Granite Cutters trade
15-35	In the Marine Workers trades
2-25	In the Metal trades
5-21	In the Shoe Industry in New England

These are some of the casualties of the wave of depression for the workers. On the one hand we have the capitalists, in the midst of America's severest economic crisis, receiving greater dividends and interest than ever before; in many instances actually increasing their annual net income by millions of dollars.

On the other hand we see millions unemployed and millions subjected to progressively deteriorating working conditions and rapidly declining wages.

Again, while the employers were perfecting their fighting associations, the workers' organizations were steadily losing their membership in the face of the capitalist onslaught and severe depression. The membership of the International Seamen's Union dropped from 115,000 in 1920 to 50,000 in 1921. The Maintenance of Way Men lost almost 125,000 members in this crisis. The American Federation of Labor lost 710,893 members; its official figures falling down to 3,195,635. And there are many who believe that these figures would be much more accurate if they were somewhere in the neighborhood of two and a half million.

The Farmers and Soldiers Are Hard Hit

But the organized and unorganized workers were not the only ones hard hit by the economic crisis. The farmers and those workers who had bled for their employers on the battlefields of France were also very deep in the slough of normalcy.

Mr. Hanford Macnider, formerly National Commander of the American Legion, describing the desperate conditions welcoming the ex-soldiers on their return home said:

"Frank J. Bart of West Hoboken, N. J., wears the Congressional Medal of Honor, the highest award for bravery granted by America; and also the Croix de Guerre with three palms, the French Medaille Militaire, the Italian Croce de Guerra and the Montenegrin War Cross.

"... This man walked the streets for fifteen months in search of work. Only a few months ago he secured a job as general utility man in the office of his County Clerk.

"Experiences as bitter and as hard to understand have been undergone by hundreds of thousands of his comrades. Desperate from hunger and want, ex-soldiers of America have told our employment agencies that they will do anything. Jobless and without money, F. W. Smith, of Omaha, Neb., honorably discharged from the service of the U. S. and head of a family of three, grasped at the chance for 'work' offered by the Legion Employment Service and sold his blood at hospitals for \$25 a pint. For several months blood for transfusion operations in a hospital at Cleveland, Ohio, has been supplied by unemployed veterans.

"Such conditions as these were at their worst during the past winter. A national survey of the situation, showed that there were more than 700,000 veterans of the World War out of work and almost out of hope."³⁾

In an address on the rail and coal strikes before a gathering of farmers in Virginia, the Secretary of Agriculture, Wallace, admitted the utter helplessness of the farmers.

"The farmers have endeavored to get relief by all lawful means. They have appealed to the Administration, to Congress, and to every other agency which they thought might be able to aid them."⁴⁾

All the golden election promises turned into the usual leaden performances. Mr. Wallace declared that in 1921 the purchasing power of the farmer was actually less from 25 to 45% than in 1913.

At the same time that the employing class was paying the worker less and less for his labor power, they were also paying the farmers less and less for their products. In June 1922, the Bureau of Markets and Crop Estimates of the Department of Agriculture announced that the average value per acre of the ten

3) Current History—N. Y. Times, July 1922, Page 548.

4) "Labor"—Aug. 26, 1922—Page 4.

crops constituting 9/10 of all crop production, dropped from the average value of \$34.74 per acre in 1919, to \$14.52 per acre in 1921—a fall of almost 59%. Today the farmers who toil from sunrise to sunset are heavily in debt to these same capitalists that oppress and exploit the city workers. They owe in farm mortgages alone, approximately:

\$1,500,000,000 to Commercial banks
1,250,000,000 to Insurance Companies
5,250,000,000 to Farm Mortgage Companies

We find that even exclusive of what is due on machinery, in exorbitant interest, and debts for other sundry items, the farmers owe the money and land sharks a tribute of at least \$8,000,000,000. The sum is probably much larger, for many farmers do not report their mortgage debts because they fear that their neighbors or others might learn the information.

Said the well-known financier, Eugene Meyer:

“The collapse in agriculture and in the banking situation in the agricultural districts was characterized by an attempt to collect loans on farm commodities in too short a period.”⁵⁾

But the capitalists pressed the collection of these debts, regardless of the depression.

This is the condition in which the farmers find themselves today after passing the economic crisis—a phenomenon inherent in the very nature of capitalist production and recurring with persistent regularity at almost definite intervals.

5) From Speech delivered by Eugene Meyer Jr., Managing Director—War Finance Corp., before the State Bank Division of the American Bankers' Ass'n., Oct. 2, 1922, N. Y. City.

Wage Cuts Are Very Painful

In their wage-cutting and union-smashing drive, the employers have spread considerable misinformation as to the real earnings of the workers. They have deliberately exaggerated the gains made by the workers during the "war prosperity" in order to excuse their fierce campaign of deflating wages. The findings of the most authoritative investigators, decisively dispel these illusions and misinformation. Said the Federal Council of Churches:

"It cannot be too often repeated that high wages during the war were by no means so general as believed, and that the demand for a reduction in wages in proportion to the reduction of living costs has been made without reference to the fact that wages, prior to the war, were too low, and cannot be fairly taken as a basis of wage determination."⁶)

This same authority goes on to say that:

"Even without reference to the general movement of real wages, working peoples' earnings since the beginning of the war have been greatly exaggerated in the public mind. They are thought of in the terms of what the carpenter or the plumber, or the railroad engineer, or the highly skilled steel worker has been able to command. Even in these apparently favored occupations, the total earnings are often much less than the wage rate indicates, on account of under-employment."⁷)

Loss of labor time thru unemployment and irregularity of employment takes a heavy toll from the workingmen. The American Federated Engineering Society has found that on the average the shoemaker works but 65% of his time; the clothing worker 69%; the building trades worker about 63%. Ir-

6) Federal Council of the Churches of Christ in America, Labor Sunday Message, 1922—Page 5.

7) "The Wage Question," Page 18—Federal Council of Churches.

regularity of employment is a chronic disease in the mining and textile industries.⁸⁾

A refutation of the employers' exaggerated claims as to wages, based on their own figures, was made public in October 1922, by the National Catholic Welfare Council. The latter's investigation disclosed that:

In the period of the seven and a half years from the beginning of the war, the skilled workers gained 4.5 per cent, the unskilled workers gained 1% and the women gained almost 15% as compared with the cost of living figures furnished by the Federal Bureau of Labor Statistics.

The average worker in the manufacturing industries gained 4.5 per cent. The average skilled worker in these industries made about \$1,325 a year; the average unskilled worker about \$1,025 a year, and the average woman about \$825.

Using 1914 money on the basis of the cost of living, the skilled workers received 63c a week more than they did on the eve of the war; unskilled men got 12c; and women \$1.15 a week more.

In Some Industries Workers Fare Worse

Mr. Basil Manly, who often acted as Joint Chairman of the War Labor Board with Chief Justice Taft, has investigated the wage question and has found that:

The pick miners received 52c a ton in 1900; in 1913 they received 65c a ton and in 1921 \$1.16 a ton. During this period the purchasing power of these wages compared with the rate of 52c per ton in 1900 was only 48.5c in 1913 and 42.79c in 1921.

The conductors and railroad engineers do not fare any better. Today the wages of the former buy \$95 less and the wages of the latter buy \$162 less than they did in 1900.⁹⁾

8) "Waste in Industry," Page 16—American Federated Engineering Society, 1921.

9) "Are Wages too High?"—by Basil Manly.

And the lot of the steel workers is even worse, according to the Interchurch World Movement Report:

"The annual earnings of over one-third of all productive iron and steel workers were, and had been for years, below the level set by Government experts as the minimum of subsistence standard for families of five.

"The annual earnings of 72% of all workers were, and had been for years below the level set by Government experts as the minimum of comfort level for families of five."¹⁰⁾

Since then the steel wages have been cut 40% and raised 20%.

Mr. Manly then sums up:

"We have now completed a survey of wage statistics covering substantially all the workers employed in manufacturing, mining and transportation, and we have found that, except in a few isolated trades and occupations, wages have failed to keep pace with the cost of living; and that substantially the American workers are therefore less well off than they were at the beginning of the century."¹¹⁾

"Suppose we find that the wages of any workers have increased even faster than the cost of living, are we therefore to decide with equal positiveness, that such wages are too high! Let us see. Suppose that 20 years ago these particular workers were notoriously sweated, or were admittedly underpaid. It would then be necessary that their wages be advanced faster than the cost of living, in order to bring them up to any decent level."¹²⁾

"Because of the rising prices and profiteering, the dollar as a means of maintaining a home was worth when we entered the war in 1917, only half as much

10) From the Interchurch World Movement Report on the Steel Strike in 1919.

11) "Are Wages too High?"—by Basil Manly—Page 13.

12) Ibid—Page 4

as the dollar of 1900, and by 1920 only *one third*. Compared with 1900, therefore, every dollar of the worker's wages was worth only 49c in 1917 and 33c in 1920. The man who made two dollars a day in 1900, therefore had to make six dollars a day in 1920, simply to 'break even'."¹³⁾

On the basis of official Government figures, Basil Manly has constructed the following:

*Table Showing the Purchasing Power of Union Wages Since 1907.*¹⁴⁾

Year	Relative Rate of Wages Per Week-Full Time	Buying Power of One Dollar	Relative Buying Power of Union Wage
1907	100	100 cents	100
1913	109	82 cents	89
1914	111	79 cents	88
1915	112	78 cents	86
1916	116	69 cents	80
1917	123	58 cents	71
1918	142	47 cents	66
1919	162	44 cents	71
1920	206	39 cents	81
1921	209	45 cents	94

It is interesting to note that 1918 which was a banner year of profits for the employers was one of the worst years for the workingmen in so far as the actual purchasing power of the dollar is concerned.

Standards of Living

Considerable emphasis on the high American standards of living is continuously laid by the propagandists of the employers.

As Royal Meeker, formerly Commissioner of Labor Statistics, has said:

13) Ibid—Page 6

14) Ibid—Page 7

"Even in the higher income groups conditions are not so easy as they are frequently pictured to us. Let us not be fooled by the cry that the American standard of living is the highest in the world."¹⁵⁾

An examination of the following authoritatively prepared budgets, reveals the fact that the majority of the American working class falls below the minimum level set by recognized responsible agencies.¹⁶⁾

Author of Budget	Place and Date	Total Amt. of Budget
Wm. F. Ogburn, for Seattle-Takoma St. Ry. Arbitration	Seattle, Wash. October 1917	\$1,505.60
Jessica B. Piexotto	San Francisco, Cal. October 1917	\$1,476.40
Wm. F. Ogburn for the National War Labor Board	New York City July 1918	\$1,760.50
Philadelphia Bureau of Municipal Research	Philadelphia October 1918	\$1,636.79
Wm. F. Ogburn, for the United Mine Workers	Washington, D. C. August 1919	\$2,262.47
U. S. Bureau of Labor Statistics	Bituminous Mining Towns 1919	\$2,243.94
U. S. Bureau of Labor Statistics (Quantity Budget priced by Labor Bureau, Inc.)	Chicago, Ill. November 1921	\$2,445.65

Dr. Abraham Epstein, Director, Pennsylvania Old Age Pension Commission, writing under the caption "Have American Wages Permitted an American Standard of Living?" sheds illuminating comment on the budget question.

15) Monthly Labor Review, Volume 9, No. 1, July, 1919—page 13.

16) Federal Council of Churches, Bulletin No. 1—the Wage Question—page 14.

"It is patent that despite the tremendous increase in wages, experienced during the last six years, only a few classes of wage earners have succeeded in keeping pace with the increased cost of living. In the case of many workers, especially the skilled ones, the purchasing power of their increased wages for a full time week in 1920 was considerably less than it was in the pre-war days. And if the great mass of workers, did not receive what is authoritatively considered an American living wage before the present advance in prices had begun, their standards at the present time are necessarily lowered."¹⁷⁾

According to the last income tax returns those who received a thousand dollars or more per year, number only 5,332,760—or about 5% of the total population. There are 41,609,192 persons gainfully employed in the United States. This is 50.3 per cent of the total population of ten years of age and over. These figures also include employers, high government officials, and higher salaried employees. All of the latter undoubtedly receive more than \$1,000 per year. It is obvious on the face of it that most of the workers fall below even this low income level. Summing up his findings on the total inadequacy of the American wage today, Mr. Manly says:

"1. American wages are not too high, judged by any fair standard of comparison.

"2. With the exception of a few isolated occupations that were miserably underpaid in 1900, no class or group of workers has succeeded in maintaining unimpaired the real value of their wages as measured by the buying power which they possessed in 1900.

"3. With the exception of a few isolated and exceptionally skilled trades, the wages of American workers are insufficient, without supplement from other

17) Annals of the Amer. Academy of Political and Social Science, Sept. 1921.

sources, to provide for the subsistence of a family consisting of husband, wife, and three minor children. Much less maintain them in that condition of 'health and reasonable comfort' which every humane consideration demands.

"4. American Labor has been consistently deprived of its fair share in the ever-increasing productivity of the nation's industries. It is this ever-increasing inequity that is at the root of the nation's frequent industrial depression. And it is out of this constant under-employment of labor that a large part of the great private fortunes and the huge surpluses of American corporations have been created."¹⁸⁾

It is plain to everyone from the above authoritative evidence that the high war time wages of the workers are a myth created by the capitalists. It is evident that the workers today are severely underpaid, even on the basis of the official figures of the Government and the employers' associations. Living under such conditions, the workers were compelled to revolt against their employers whose interest is to exploit them in order to pile up huge profits.

The Readjustment Strikes of 1921

But the progressive deterioration of the wage workers' conditions and the resultant, constant enriching of the capitalists were not totally free from working class resistance; though it must be admitted that during the first period of attack, the workers were completely overwhelmed by the ferocious onslaught of their employers.

In the Spring and Summer of 1921 there were widespread "readjustment strikes"—strikes on the part of the workers to resist wage deflation. The building trade workers, the packers,

18) "Are Wages Too High?" by Basil Manly, Page 20.

the garment workers and the printers doggedly resisted the attacks on their wages and their unions.

The printers' strike began on May 1, 1921, and lasted for more than a year. The workers revolted against the campaign for the Open-Shop and the continuation of the 48-hour week launched by the Employing Printers of America. At a cost of over ten million dollars, the International Typographical Union succeeded in warding off the attack. But some of the smaller and less strongly organized printers' unions that had always resisted amalgamation in the industry met with defeat.

Another notable strike of 1921, was the one waged by the International Ladies' Garment Workers' Union. It was declared as a protest against the breaking of an agreement by the employers. After two months of struggle the workers went back. They had repulsed the attack on their union.

On December 5th the workers of the "Big Five" packers went on strike in defence of their unions and against a wage cut of 8c an hour for those working by the hour and a 12½ per cent reduction for those employed on the piecework basis.

The Packers also declared that on and after March 14th, 1921, overtime would be applied only after the 10th working hour or after 54 hours per week. In July the Packers petitioned for another cut in wages. Judge Alschuler, Administrator of the President's Mediation Committee, denied their request on the ground that neither the condition prevailing in the industry itself, nor the cost of living warranted this cut. The machinery of arbitration was then dropped. Company unions were set up, and on November 28th there came another wage reduction of three to seven and a half cents an hour. The Packers put this cut thru the farce of having it approved by the company unions.

President Harding did not see fit to take any steps to have, let alone force, the Packers heed the award of the Government's arbitration committee. The Packers also turned down

the efforts at arbitration made by the Secretary of Labor Davis. But the Government did not make the slightest effort to have the Packers obey its official decision. The Government went much further. In Denver, Colorado, 25 members of the union were found guilty of contempt of court in refusing to heed an order requiring them to return to work pending action by the State Industrial Commission. This commission had the same function as the Kansas Industrial Court—to deny the workers the right to strike against their capitalist employers. These workers, unlike the Packers, were sent to jail. Injunctions restraining the strikers came in abundance. In Ottumwa, Iowa, Judge Anderson, of check-off notoriety, issued an injunction preventing picketing.

Secretary of Labor Davis, made another attempt at arbitration and reported that:

“The workers agreed to accept either, but the Packers and their representatives refused and informed the Secretary that they did not desire mediation or arbitration, as they had all the workmen they needed,”

The strike was lost. It was broken by the Government. The workers who accepted the Government's arbitration and mediation were jailed. The Packers, the capitalists, who spurned and disregarded the Government's efforts were protected and helped. The Government put at the disposal of the Packers, its military and judiciary power. The army and the courts reaped a harvest of casualties for the workers and a bumper crop of profits for the employers.

Capitalists United—Workers Divided

The capitalist offensive met with almost complete success. The employers were strongly united. The workers were hopelessly divided into backward, inefficient craft unions, dominated by a reactionary bureaucracy that welcomed every opportunity

to avoid a fight or run away from a struggle, even when it was forced upon them. The battle-cry of the reactionary labor leadership was put forward by Gompers:

“It is not our choice that we resist injustice.”¹⁹⁾

Against this divided front of the workers, the capitalists pitted their powerfully organized and splendidly financed employers' associations. Besides, their Government—the U. S. Government—fully carried out its mission of guiding and centralizing the fighting forces of reaction and put its full military and judiciary powers at the disposal of the capitalists in order to crush the workers.

As early as 1913, Congressional investigation of the money trust, exposed the solidarity and unity of the capitalists. It was then shown that four great financial institutions in New York, held 89 directorships in trust companies and banks; 78 in transportation systems; 49 in purchasing and trade companies; 29 in insurance companies; and 16 in public utility corporations. These four banks holding the 261 directorships were: J. P. Morgan & Co., the Guarantee Trust Co., The Bankers Trust Co., the First National Bank of New York. Also, the Chase National Bank of New York held 22 directorships in ten other large banks and trust companies. The National Bank of Commerce in New York had 57 directorships in 22 other large trust companies and banks which then had resources of over two billion dollars. Further proof of the solidarity and unity of the capitalists, is seen from the fact that the railroads and the U. S. Steel Corporation own 75% of the anthracite and bituminous coal mines and completely control the output of coal. This centralized control is obtained through the following financial institutions:

19) American Federationist—October 1922—Page 739.

- | | |
|--------------------------------------------------|-------------------------------------|
| 1. J. P. Morgan & Co. | 7. American Surety Co. |
| 2. First National Bank of New York | 8. Mechanics & Metals National Bank |
| 3. Equitable Trust Co. | 9. National City Bank |
| 4. Guaranty Trust Co. | 10. National Surety Co. |
| 5. Equitable Life Assurance Association of U. S. | 11. N. Y. Trust Co. |
| 6. Mutual Life Ins. Co. of N. Y. | 12. Chase National Bank |
| | 13. U. S. Steel Corporation |

The men who control these great financial institutions control our transportation system and coal mines. The coal mines and railroads controlled by these institutions are:

- | | |
|------------------------------------|------------------------------------------|
| 1. Norfolk & Western Ry. | 14. Lehigh Valley Coal Co. |
| 2. Western Maryland Ry. | 15. Delaware, Lackawanna & Western R. R. |
| 3. Berwind-White Coal Mining Co. | 16. Delaware & Hudson Ry. Co. |
| 4. Penn. Coal & Coke Corp. | 17. Cox Bros. & Co. |
| 5. Pennsylvania Railroad | 18. N. Y. Ontario & Western Railroad Co. |
| 6. Penn. Coal Company | 19. Maryland Coal Co. of West Virginia |
| 7. Erie Railroad | 20. Pittsburgh Coal Co. |
| 8. Reading Company | 21. Rocky Mountain Fuel Co. |
| 9. Phil. & Reading Ry. | 22. Chesapeake & Ohio R. R. Co. |
| 10. Phil. & Reading Coal Co. | 23. Virginia Railway |
| 11. Lehigh & Wilkes-Barre Coal Co. | |
| 12. Central Railroad of N. J. | |
| 13. Lehigh Valley Railroad | |

Twenty-five men control 82% of the steam railway system operating 211,280 miles. These men divide amongst themselves 193 directorships—an average of nearly eight directorships a piece. They sit together on the board of directors of 99 class I railways. They are:²⁰⁾

- | | | |
|---------------------|---------------------|----------------------|
| 1. Robert S. Lovett | 6. H. S. Vanderbilt | 11. F. N. Davis |
| 2. Wm. Rockefeller | 7. Samuel Rea | 12. Fairfax Harrison |
| 3. H. W. DeForest | 8. L. P. Loree | 13. W. W. Atterbury |
| 4. A. H. Smith | 9. A. J. County | 14. J. E. Reynolds |
| 5. G. F. Baker | 10. A. W. Kraech | 15. Chas. Steele |

²⁰⁾ Representative Edward E. Browne, Congressional Record, Vol. 162, No. 91—Page 5328, March 31, 1922.

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|-------------------|-------------------------|-------------------|
| 16. Howard Elliot | 20. Julius Kruttschnitt | 24. DeWitt Cuyler |
| 17. M. H. Smith | 21. Chas. E. Ingersoll | 25. H. Walters |
| 18. Chas. Hayden | 22. E. A. Stotesbury | |
| 19. A. H. Harris | 23. E. V. Thayer | |

And testifying before the United States Senate Committee on Interstate Commerce on April 17, 1922, Mr. Jett W. Lauck, the noted economist, showed:

"That the greater factors in American Industry, the railway equipment producers, the railway repair shops, the steel interests, the coal, cement and other basic material producers are closely bound together by inter-capital relations and interlocking directorates, coming to a focus in the banking house of Morgan & Co., and that the determination of their major policies centers in and is controlled by a number of men scarcely larger than go to make up the administrative and executive staff of the Federal Government."

The Outlook

This was the line-up for the great conflict that was bound to come. In the strikes at the close of 1921, the workers began to show signs of effective resistance to the wage cutting and union-smashing onslaught of their employers and the Government. The capitalists and workers marshalled their forces for a battle to the bitter end. Among the working masses the feeling was that they had had enough of wage reductions and that their employers had already driven them to the nethermost limits of endurance. The real fight came in the national strikes of 1922—the revolt of over a million workers in the textile mills, mines, and railway shops—the greatest strike wave in the history of the country.

CHAPTER III.

THE TEXTILE WORKERS REVOLT

"Mounted Cavalrymen, infantrymen with fixed bayonets and Deputy Sheriffs swinging riot clubs occupied every street corner in the village of Hope, which is owned by Goddard Brothers. . ."¹⁾—*The New York Times*, March 9, 1922, Page 4.

"We have been slaves long enough to the mill owners who have gone mad over their profits.

"Rhode Island has been a fool's paradise, a State of oppression and cod-fish aristocracy. We have been the slaves of an invisible power.

"The workers sleep four in a bed and never have enough to eat, while the sleek members of the Kalon Club advise them to save their money."²⁾—*Ibid*, statement by John H. Powers, Blackstone Valley strike leader.

ON January 23rd the strike broke out in the Pawtucket Valley of Rhode Island. It spread like wildfire to the textile centers of Maine, New Hampshire, Massachusetts and Vermont. Between January 15 and February 15, at least one half of the New England cotton industry was tied up. Armed guards, hostile State and local administrations, and troops equipped with the most fiendish devices of modern warfare, only steeled the spirit and solidified the ranks of the workers.

1) N. Y. Times Investigation, March 9, 1922, page 4.

2) From statement to N. Y. Times investigator, by John H. Powers, leader of the strikers in the Blackstone Valley.

Goaded on by the fear of desperate want and intolerable working conditions and determined to challenge the unbridled tyranny of the textile barons, close to 100,000 workers deserted the mills. Italian, Polish, French, Canadian, Portuguese, Jewish and American workers, women, girls and men, organized and unorganized, spontaneously rallied to strike against the ukase of their employers for a wage reduction of 20% and a 54-hour week. Within sixteen months their wages had been cut 42%.

Issues of the Strike

The wage cut ordered by the mill owners was part and parcel of the general, concerted campaign of wage reductions instituted by the employers thruout the country. Bitter determination characterized the onslaught of the capitalists to rob the workers of the conditions won by them during the war. In New Hampshire the 48-hour week was established in February 1919. The textile barons were determined to deprive the workers of this gain. When the war was on the employers made fabulous profits. They went mad over their gigantic dividends. In this attack on the workers, they were further emboldened by the helplessness and timidity the workers presented in the last wage cut. Also, the capitalists were determined to nip in the bud any signs of preparation manifested by the workers. On December 2, 1921, eight independent unions merged in the Federated Textile Workers of America.

During the war some textile operators had as many as three dividend periods a year. Even in 1921, the year of darkest depression, the Pacific Mills paid their stockholders enough dividends to advance the wages of the employees, at least 25%. In about a year this company paid \$2,400,000 in dividends. The same rate was to be continued in 1922 and the workers were to pay this tribute by increased labor and decreased pay. This

company increased its capitalization by 33 1/3% in 1919. Yet, it is today paying dividends at the rate of 12%. The Pacific Mills were among the first to capitalize war profits by the now popular method of stock dividends.

Another illustration of the gigantic profits reaped by the textile barons is seen in the finances of the Amoskeag Corporation, the largest cotton mill in the world. This company made a net profit of \$30,000,000 in ten years. In 1921 it paid its dividends at the rate of 75% on the capitalization of 1907. Within the last 15 years it has put away a surplus of over \$37,000,000 and has, besides, increased its capitalization from \$4,000,000 to \$44,500,000. Jerome C. Davis of Dartmouth, has thus pictured the "poverty" of the Amoskeag.

"At the same time that the (Amoskeag) corporation was reducing wages and increasing its hours, it had only a few months before increased dividends. Until January, 1912, the quarterly dividend on common stock was 75c. From that date to April, 1919, it was \$1.00. From February, 1920, to May, 1920, it was \$1.25, and from February 1921, to the present time, it has been \$1.50. In 1907 the company declared a 44% stock dividend. In 1919 three shares of common and two of preferred were exchanged in place of each single share. In 1919 there was a 100% stock dividend on the common, so that since the organization there has been a continual increase in the amount of stock and continual increase in the dividends on the increased number of shares.

"The sum of \$100 invested in the Amoskeag in 1897 would have been worth on the market today over \$1,000 and would have received in dividends over \$670. If a mill worker in 1897 would have been able to invest \$500 in the stock of the company and had kept it, together with his dividends he would now have over \$9,000. Said a Manchester Banker, 'One thousand

dollars invested in Amoskeag in 1911 would have been worth on the market today over \$8,500'.³⁾

Professor Davis analyzes the problem very accurately when he says:

" . . . This method is, first a constant increase of outstanding stock, a pyramiding of securities on which dividends must be paid; second, a tendency to increase the rate of dividends paid in prosperous years and a reluctance to decrease them in periods of depression. What makes this practice extremely unethical, is that prosperous years are used as the basis for inflation of securities and dividends. Subsequently, in periods of depression, the company has a choice between several alternatives. It can stop paying dividends which would reduce the value of its stock on the market; or it can take from surplus which might have the same effect; *or it can reduce wages and increase hours, which will tend to increase stock values.* The Amoskeag Corporation has over \$17,000,000 in United States Liberty Bonds. It has other quick assets which bring up the total to over \$37,000,000. The company reports net quick assets of over \$133 a share for the preferred. If the plant is included and each spindle is valued at \$50—although now worth \$75—each share of common has a book value of \$333 a share. Yet the company says it is necessary to make some radical departure to meet Southern competition. *The directors are unwilling to reduce either surplus or dividends. The result is that wages must be reduced and hours lengthened.* In other words, during prosperity years, the capital side of the business is enormously increased, but in years of depression it is not correspondingly decreased.

"This is true not alone for the Amoskeag Company; it is a well-nigh universal phenomenon."⁴⁾ (Our Italics).

3) Jerome Davis, N. Y. Times Current History, October 1922, page 23.

4) Ibid, Page 23-24, from financial figures presented in "The American Wool and Cotton Reporter."

During the strike the workers repeatedly challenged the manufacturers to open their books to any chosen impartial body. The workers agreed to return to the mills immediately, if this body would find that a "fair" profit was endangered by a continuation of the old wages and hours. The answer of the textile operators was a flat refusal. The agent of the Amoskeag is reported to have replied:

"It is nothing but Socialism for a person to say that the public has any right to inquire as to how much money a firm makes or how much it lays by for expansion."⁵⁾

The cry of these "poor" corporations that they must reduce wages and lengthen the working hours to meet Southern competition, was just so much more sand thrown into the eyes of the workers. From the official figures of the American Cotton Manufacturers' Association, we find that the following were the weekly wage scales in the North and South in June, 1921:

Grade of Worker	North	South
Skilled male	\$21.78	\$16.65
Unskilled male	18.08	10.99
Composite	18.71	13.99
Women	15.61	11.65

W. D. Adams, Secretary-Treasurer of the American Cotton Manufacturers' Association, in a letter to E. F. Green, Treasurer of the Pacific Mills of Lawrence, pointed out that the wages of the Southern workers are on a par with those of the Northern, when the expense for the upkeep of the mill workers' houses were added to the workers' income. But he further said that the wages in the North should be higher "Because of the more rigorous

5) *Ibid*, page 24.

climate, the lack of garden and truck facilities and additional compensation Southern operatives receive in Southern Mills due to comparatively free house rent, electric lights, water works and sewerage, cheap fuel and the like . . . as an item in the cost of production. I beg to say that a careful investigation by the American Cotton Manufacturers' Association determined the increased compensation of Southern mill operatives on account of village expense to be \$4.36 per operative per week." Thus the Southern wage was only about 35c less per week than the Northern wage was before the 20% wage cut was ordered. Also there is more regular employment in the South, because its market is more steady, for, as it has been pointed out by the Census Bureau in its study of the Textile Industry, the South turns out mainly such staple heavy cloths as, gingham, staple calicoes, denims, drills, and heavy ducks. Furthermore, the individual output per worker per working day in the North is of a better quality and greater quantity than in the South. Mr. Adams also admitted that the Southern owners would follow the example of the Northern manufacturers and cut wages. The workers would thus be in a vicious circle. The representatives of the workers pointed out that the wage cut of 20% would immediately give the Northern workers a lower wage than that of the Southern by from 8-22% depending on whether the 48-hour week would be maintained.

In the hearing on the 48-hour bill before the Rhode Island Legislature it was proved that more than half of the cotton mill spindles are in Massachusetts where there is a 48-hour law in effect. Besides, a considerable portion of the capital of the New England and Southern mills is interlocked. For instance, the Consolidated Textile Corporation of New York owns 750,000 spindles in the South and this same Consolidated Company owns the only mills in New England which may be said to turn out goods that might meet Southern competition in the market:

The Workers—Slaves

What made these huge profits possible? Who produced these dividends? The answer is: The starvation wages and the living and employment conditions forced upon the textile workers made these profits possible. The exploited workers created these dividends.

Before this cut was announced, the yearly average wage, according to so conservative an authority as the National Industrial Conference Board, was \$1,085.44. In November 1919 it had found that \$1,385.79 per year was the minimum needed for a living in Lawrence, Mass. In October, 1919, it had found that a wage of \$1,267.76 per year was the minimum needed in Fall River, Mass. Since then, it is true, the cost of living had dropped somewhat, but keeping in mind the 42% cut in wages made during the depression, it is obvious that the overwhelming majority of the textile workers were faced with living conditions far below the minimum levels set by the most conservative authorities.

The New York Times investigator found that the average weekly wage of common labor was \$15; semi-skilled and skilled labor \$17 to \$18. Only a few reached thirty dollars per week. Out of these earnings they often paid back to the company in rent as high as \$25 to \$30 per month. In many instances the mother, father, and one or two children were compelled to work in order to earn the bare necessities of life for the family.

The Amalgamated Textile Workers engaged the Labor Bureau, Inc., to make a survey of the cotton industry regarding wages and profits. This competent authority, taking the share received by the workers in 1914 and the purchasing power of the textile workers' dollar in that year as a basis, and assuming that the amount received then was sufficient, and that the worker had continuous employment, found that for the period of 1914-1921 the cotton mill workers of the whole United States, fell

\$756,321,000 below the basis of "normalcy." At the same time the corporations averaged profits at the rate of 29.6 per cent on inflated capital.

The Living Conditions

A *New York Times* investigator making a survey of the strike had found that:

"There was evidence of unsanitary and deplorable living conditions everywhere. Several villages were entirely owned by the mill owners, who controlled everything, including the church that the workers went to worship in, and the ball park and fair grounds where they found amusement.

"In practically every town, the mill owners check out the worker's meagre pay from 75c. to \$5 a week house rent and his milk bill, and in many instances his grocery bill, contracted in the company store."⁶)

Said one striker to this investigator:

"We own nothing here (the village of Hope) except our skin. The Goddards own every stick of wood in the village. They own the Methodist-Episcopal church over there, and Rev. Mary Sampson, their preacher, is telling us to go to work. The twenty-five that went back to work were members of her Congregation."

Jackson, the adjoining town, is owned by B. B. & R. Knight Co. *The New York Times* investigator goes on to say:

"After being shown some of the badly kept dwellings of the Knight Company workers for which they paid rents ranging from 75c. to \$3.25 a week, the visitors were shown the beautiful stock barns of the company located on the hills overlooking the valley.

"Here you see beautiful cattle sheds", said Mr. Flannigan. "They are electric-lighted, steam-heated,

6) N. Y. Times, March 9, 1922.

everything is sanitary and the cows are given attention by special attendants.

“‘They treat their cattle better than employees’.”

The tyranny of the textile barons and their control of the local and State governments is at least as bad, if not worse, than in the steel and coal areas.

In March 1921, the *New York Globe* engaged Mr. Wesley W. Stout to investigate the conditions in the textile area. His findings were substantially as follows:

1) The textile barons rule with an iron hand. Their dictatorship is as arrogant and rigorous as that of the feudal overlords. There is a vicious system of absentee ownership and “The mill owners exercise a feudal authority as complete as that of a medieval baron. This may explain why there were no labor unions in the Valley and no strikes.” Mr. Stout found that for one hundred and ten years, the Pawtucket Valley did not have a trade union, a lockout or a strike with exception of two localized affairs in the recent years.

2) In the strike area we have a veritable backwash of civilization worse than the slums of New York City.

3) Except for the supervisors, the workers still live in the houses set up by the predecessors of the present textile tyrants in 1810.

“As the company houses do not appear on the books as a profitable investment, the company paints, papers and repairs them as seldom as possible. As the companies own most of the property in each village, many of the villages have no sewerage system and only one or two a public water system.

“There is no collection of garbage and rubbish. The windows are without screens, and wells adjoin hideous outhouses and stables. Oil lamps light these houses, the only change since 1810 being from whale oil to kerosene. In the older houses—most of those occupied by the poorer paid workers, antedate the Civil War and some date back a century. The roofs often

leak, the timbers are rotting, the walls ooze water, plaster is falling and the cracks are stopped up with soap or cotton waste."

4) A vicious spy system is in force. Any worker who manifests the slightest spirit of protest, is exiled not only from the mills, but oftentimes from the village or Valley.

5) The textile barons, almost all of whom do not even live in the state, have chosen state legislators, congressmen, senators and governors.

Of this condition, Professor Jerome Davis of Dartmouth College, said:

"It might be noted at this point that the Amoskeag, in stating that its purse had ever been ready to the up-building of the State and City, spoke the plain, unvarnished truth, for outside of the Boston and Maine Railroad there has been no power in the state which has been anywhere near so potent. As a matter of fact, all the directors of the corporation, with the exception of one, live outside the State, and that one spends his winters in Florida. Senator Moses refused to talk with a union representative on the ground that he was not a citizen of New Hampshire. . . "7)

The capitalists have devised the most cruel methods of sweating their workers and intensifying exploitation. Every dollar of their profits is merely the congealed sweat and blood of their wage slaves. Apropos of this *The New York Times* investigator has said:

"These efficiency experts go around the plant, time the work of various employees with a stop watch, and learn just how much work each man or woman can do in a day. After several tests, the 'systematizers' take the maximum efficiency record of the worker and set that as the daily standard that he must live up to. If it is

7) Current History, October 1922, page 22.

found that the worker has some spare time, he is compelled to aid in other work in order that every minute of his time in the mill may be taken up. Workers who decline to accept the standard set by the factory expert or fall behind the schedule are discharged, it is said."⁸⁾

The Workers Revolt.

Against such unspeakable living and employment conditions the workers revolted.

Despite overwhelming odds, the strikers put up an heroic struggle. They sprung a complete surprise on their employers, by the readiness with which they deserted the mills, the numbers that responded to the strike call and the length of time they were ready to stay out. In some localities, the strike lasted over thirty-five weeks. In some instances it is still being waged against the 54 hour week. The textile strike was the first strike since the "grand offensive" began where the workers displayed such a thrilling spirit of struggle and effective resistance to the enemy—their employers and their Government.

Here is a description of the spread of the strike by a worker:

"In the little village of Natick, there was a local of the Amalgamated Textile Workers of America. They succeeded in striking the big mill of the B. B. & R. Knight Company on the morning the cut was to go into effect. The strikers then marched to two adjoining mills and struck them. A speaker was sent from the Providence local to the mass meeting of the strikers that afternoon. 'The other workers are as anxious as you to resist this cut. Go ask them to join you,' he said. The "Iron Battalion" was formed forthwith. The other mills were called upon and the whole of the Pawtucket Valley was tied up 100% in a few days. The Amalgamated Textile Workers of America enrolled thousands of members.

8) N. Y. Times, March 10, 1922, page 5.

"In the adjoining Blackstone Valley, things went slower—not that the rank and file of the workers willed it so—but the red tape of the officialdom held them in check. In that Valley, the United Textile Workers of America have a few locals of different crafts or departments. These naturally wanted their national officers to take the helm. But the International President was then sick and other 'important' incidents happened to hinder action, so that nearly two weeks went by before the mills in the Blackstone Valley started to come out. Their strike was not so prompt and clear cut as in the Pawtucket Valley, but eventually they tied up all the mills and established a solid front."⁹⁾

One feature of the strike was the very effective picketing. In the Pawtucket Valley, the workers organized the "Iron Battalion"—a picket group of more than 200 strong. Most of these were ex-soldiers. This greatly heartened the workers at Natick. These workers would march up and down the sidewalks before the mills without saying a word. They would wave their hands and handkerchiefs to those within the mill's stockade. They would also demonstrate before the State House for the 48-hour bill. How effective this picketing was is evidenced in the impression of *The New York Times* investigator. He said:

"Undaunted by the presence of the soldiers, the Battalion now assembles every morning and marches thru Natick streets and to neighboring mills, led by a man swinging a bell. Singing, and swinging sticks and canes, the marchers generally keep up their parade until assured that no effort is being made to start the mills. Then they disband, leaving a few on picket duty ready to sound the alarm at the first attempt of any mill to operate.

"Because of the threatening [the investigator undoubtedly meant effective] tactics of the 'Iron Battalion'

9) W. E. Vinyarn, *Labor Herald*, April 1922, page 9.

which has become known from one end of the State to the other, the only machine gun company in the strike zone is in Natick where it has mounted guns on the roofs of the big mills.”¹⁰⁾

John J. Thomas, leading the strike for the United Textile Workers, organized mass picketing and demonstrations of thousands. These “flying squadrons” as they were called were very effective and the employers howled to their protector, Governor San Souci of Rhode Island, that such picketing was illegal.

The problem of feeding the workers was a gigantic one. The strikers did not have the savings to help them stay out so long. In the Pawtucket Valley, the Amalgamated Relief Committee was feeding over six thousand daily. The United Textile Workers expended close to \$750,000; most of which was donated by other unions. An illustration of this solidarity of the workers is seen in the following occurrence at the last convention of the United Textile Workers described by President McMahon.

“Towards the latter moments of the Convention, organizer Thomas presented two of our members who were shot down by gunmen at the Jenckes Spinning Company plant on the morning of February 21, 1922, in the presence of the Mayor of the City of Pawtucket.

“One with four fingers shot completely away on his right hand, and the other with his right side paralyzed for life, along with ten or twelve young girls who were shot and wounded in various parts of the body.

“The convention was overwhelmed and a magnificent donation by the delegates, many of whom were strikers, showed their keen sympathy. But this was not all. The delegates from the Full Fashioned Hosiery Knitters, Union 706, quickly got together and selected a spokesman who requested the approximate cost of the operation that would be necessary to give the young man

10) N. Y. Times, March 9, 1922.

who was paralyzed, a fighting chance to be again restored to full physical manhood.

"He was told that it would be approximately \$1,000, and quickly the answer shot back: 'Send him to the place selected for the operation and forward your bill of \$1,000 to Local Union 706, Philadelphia'."¹¹⁾

The co-operatives of New England also rendered considerable aid to the strikers. The Co-operative Bakeries of New Bedford, Lynn, Brockton, Worcester and Providence daily sent thousands of loaves of bread into the Pawtucket Valley. These bakeries were furnished with flour and huge quantities of cans of fruits and vegetables by the Purity Co-operative Association of Paterson, N. J.

The New Textile Worker, official organ of the Amalgamated Textile Workers, in its review of the strike maintained that to more than anything else

"... the winning of this great strike is due to industrial unionism. Even in Manchester, New Hampshire, at the plant of the Amoskeag Company, where the strike was in charge of an organization that is not primarily industrial unionist in form or spirit, the strike was an industrial union strike—every worker in the mills was out. On any other basis it would have lasted six weeks, but would have ended quickly in defeat."

The Government Fights the Battles of the Employers.

The textile bosses had expected an easy victory. They had staked their bets on the organizational chaos in the ranks of the workers. But they were dazed by the fighting spirit of the workers. This imbued the employers with a fierce determination to win. Acute bitterness characterized their efforts to break the

11) Thomas F. McMahon, President of the United Textile Workers of America in the *Textile Worker*, October, 1922.

strike. This bitterness and lust for vengeance was manifested by the degree to which they called on their government officials to break the strike for them and by the extent to which their local and State administrations gave them wholehearted support.

A. THE COURTS

Injunctions played their part very effectively. The courts were liberal in donating them to their masters—the textile barons. We cite the following model injunction of the strike procured by the Jenckes Company, Crown Manufacturing Company, and the Dexter Yarn Company to enjoin picketing in Rhode Island.

On June 12, 1922, the Superior Court of Providence, R. I., on the basis of the Supreme Court decision in the case of the American Steel Foundries *v.* the Tri-city Central Trades Council granted the above corporations this injunction asked for and said:

“Courts have recognized that some refined types of intimidation are far more effective than threatened physical violence. . .

“The picketing in all these cases was in mass or group led by a captain selected or approved by union leader Thomas. . .”

The court recites the fact that at first the pickets numbered hundreds, but

“Later, under the Sheriff’s regime, the Jenckes group, consisting of thirty pickets every nine minutes marched around the plant; and at Dexter, 25 or 50 marched back and forth in two lines in front of the plant, so timing the march as to have the two lines meet in front of the entrance. . .”

The court branded this form of picketing as *mass picketing* and therefore declared it illegal and concluded by saying:

"In the Court's opinion, the preliminary injunction should run against all picketing."¹²⁾

Thomas F. McMahon was arrested at Manchester, New Hampshire, in contempt of court, on June 30 for violating the injunction.

The interference of the courts with the picketing which was very effective, was a severe blow to the striking workers and a great help to the greedy employers. It prolonged the strike for many weeks and thus intensified the suffering of the workers. The capitalists were drawing their dividends as usual. No court orders interfered with them.

The textile bosses also called upon the courts to empower them to evict the strikers living in the company houses. Deputy Sheriffs began to serve eviction notices in the Pawtucket Valley on April 29th. From the following press item, we get an impression of the brutality of the officials of the employing class Government:

"Providence, R. I., May 2.—Deputy Sheriffs removed today the household goods of August Van Leere, a Belgian citizen and a striker, from a hill tenement at Hope Village owned by the Hope Company, and left them on a public highway, a thousand feet away. Chief of Police Riley of Scituate, in which Hope Village is situated, declared that if the goods were not removed within 24 hours he would sell them at public auction."¹³⁾

B. THE MILITARY FORCES

Two troops of cavalry and a machine gun company were sent into the strike zone by Governor San Souci of Rhode Island at the request of the Crompton and B. B. & R. Knight Co., Inc.—the largest operators in the Pawtucket. The troops entered the

12) Law and Labor, July 1922.

13) New York Times, April 3, 1922, Page 25.

Valley on February 20th. On February 21st, on the eve of Washington's birthday, one sympathizer was killed, two were seriously wounded and five were less critically hurt by riot-gun fire at the mill of the Jenckes Spinning Company. Mayor Robert G. Kenyon is charged with having directed this attack.

Subsequently, four companies of Coast Artillery were rushed to the Blackstone Valley. By March 7th, there were 600 National Guardsmen on strike duty in Rhode Island—five companies of coast artillery, two troops of cavalry, and a machine gun company. This strikebreaking army was maintained by the Government at the cost of three thousand dollars a day from funds especially appropriated by the State Legislature for this purpose.

On March 14th, Sheriff Jonathan Andrews put a ban on mass picketing in all of Providence County—Providence, Pawtucket and Woonsocket. To enforce this order the County Deputy Sheriffs were armed with repeating rifles to mow down the workers at their first attempt to prevent strikebreakers from taking their jobs. According to Sheriff Andrews's own statement, the mill owners paid for the services of many of these deputies, a large number of whom had previously been discharged from the police force for unfitness.

When several hundred Blackstone Valley strikers attempted to arrange a demonstration before the Capitol in Providence in favor of the Lavander 48-hour Bill, Lieut.-Governor Harold J. Gross ordered them barred from the Senate Chamber and the galleries.

"It was the first time, so far as State House attaches recalled, that such action had been taken."¹⁴⁾

Only those with special cards from the Lieutenant-Governor were permitted to enter. No workers were present.

14) New York Times, April 1, 1922, Page 2.

How effective these strikebreaking measures instituted by the Government in behalf of the textile barons were, is evidenced by the following press dispatch:

“Pawtucket, R. I.—Following the withdrawal of . . . part of the armed guard at the Brunel Textile Mill, two hundred and fifty strikebreakers working there declared a strike. The mill owners are reported to have sent to New York for men to replace the striking strikebreakers.”¹⁵⁾

Governor Cox of Massachusetts followed the example set by San Souci of Rhode Island and the Chief Executive of New Hampshire emulated both of them. On June 6th, 19 workers were arrested during a demonstration in front of the Amoskeag Mill. Open air meetings were prohibited. This strikebreaking order was subsequently amended to limit the open-air meetings only to those addressed by local speakers. In Manchester, strikers were prohibited from sitting on the porches of their homes and even from looking out of the windows while strikebreakers were going to and from the mill. Strikers were not permitted to talk to strikebreakers. But strikebreakers were allowed to heap upon strikers the vilest and most abusive insults. The strikers were not allowed to organize tag-days or house-to-house collections. The Government thus attempted to break the strike by starving out the workers. However, when the Amoskeag strikebreakers requested permission for holding a house-to-house canvass to convince the strikers to return to work, the Governor gladly assented.

C. THE BURNS DETECTIVE AGENCY TAKES A HAND

Nor was the frame up neglected by the bosses. The infamous Burns of the Department of Justice came to their rescue. As late as September 1st, James D. Meehan of the Burns Agency

15) Federated Press Despatch, July 26, 1922.

of New York announced in the *Providence Journal* that: "Half a dozen suspects" are under surveillance. He said: "Arrests may soon be made." His threats were based on the "findings" of his "bomb expert," William E. Clark. Apropos of this attempt to frame up workers and terrify them into surrender, conducted by America's most notorious detective agency at the head of which is the Head of the Bureau of Investigation of the United States Department of Justice, the Amalgamated Textile Workers issued the following enlightening declaration which reads in part:

"The Burns men, of whom there are many others scattered over the State, according to their own announcement, refuse to tell who their clients are, but they claim to have been investigating the several explosions that have occurred in both the Blackstone and the Pawtucket Valleys and a number of fires which they assert were incendiary.

"These all took place several weeks ago. The explosion that attracted most attention was that which occurred at the dam of the Flat River Reservoir at Coventry on June 12th. The explosive used there was so placed that in discharging it jammed the gate and absolutely precluded the possibility of water escaping. Had the gate been blown apart, millions of gallons of water would have flooded the Pawtucket Valley and inundated a dozen mill villages.

"Leaders of the Amalgamated Textile Workers of America, conducting the Pawtucket Valley strike, pointed to this as bearing out the suspicion that the explosive had been placed there by agents or friends of the employers.

"On June 22nd a 'queer' explosion occurred at Crompton Village, in the Pawtucket Valley. It tore a hole in the ground in a vacant lot 35 feet from the Crompton Public Library. No damage was done to the employer's property, as the spot is 50 yards from the Crompton Velvet Mill. What made the explosion look to union officials like the bosses' plant, was the addi-

tional fact that the harmless spot where it occurred was directly in the path of the army searchlight set up on the roof of the mill."

But despite this energetic and ferocious campaign waged by the Government in the strike area, the workers displayed a remarkable tenacity and held fast. Machine guns, coast artillery squads, riot guns, clubs, local and State administrations, and a church and press owned outright by the textile bosses, could not awe the strikers. No. Not even the Government could break the strike!

The Strike Settlements

As the strike went on, it became a contest of endurance, a tug of war between the bread-hungry workers and the dividend-hungry capitalists. And in this fight the workers showed firmer resistance. In spite of the organizational chaos prevailing in the ranks of the workers, in spite of the bestiality characterizing the strikebreaking services of the Government, the strikers hurled back the onslaught and maintained their front.

The first break came in Lawrence, Mass., the key to the textile industry of New England. On August 28th, the Pacific and four other textile mills accepted a return to the old wage scale after a bitter struggle lasting nearly five months. Settlements followed in Rhode Island and the other centers. Some operators even raised wages above the pre-strike level. Discrimination against active strikers and insistence on a 54-hour week have delayed settlements in several instances.

The Unions and the Strike

Spirited battles against oppression and exploitation are not new to the New England textile workers. The history of the class struggle in Lawrence is a story of unequalled sacrifice and almost superhuman heroism.

At the pitch of enthusiasm in their struggle, the union membership would swell; then, it would wither away at an almost equal pace. Organizationally, the workers have been hopelessly divided. On the eve of the last strike there were at least fifteen unions in the field. Chief among these were the Amalgamated Textile Workers, the United Textile Workers, the One Big Union of Ben Legere, the Workers' International Industrial Union, the Industrial Workers of the World, the American Federation of Textile Operatives and the National Loom Fixers Association. It is this canker of petty factionalism and extreme dualism afflicting the body-unionism of the textile workers that accounts for their meekness in accepting without any resistance the first wage cut of 22½%. It was the hope that the capitalists put in such rank division in the fold of the workers, that encouraged them to make another slash in wages and it was this dualism which kept the workers in a state of unpreparedness when the strike broke out.

The strike in Lawrence, for instance, came two months after the outbreak in the Pawtucket Valley. Yet the workers there were unprepared when they did decide to fight. This condition is especially bad when one considers the fighting spirit of the workers involved. In Lawrence the internal wrangling was very costly to the workers. At the outset of the strike, unionism had a weak hold. And in this weakness, the workers were divided between the United Textile Workers and the One Big Union. For one week the two unions directed the strike thru a joint council. Then President McMahon, of the United Textile Workers grew tired of unity in the ranks of the workers, and withdrew from the council. Ben Legere of the One Big Union, went McMahon one worse. Instead of making an effort to heal the breach, he, in true dual unionist fashion, widened it. Throughout the strike he waged a bitter campaign in the press against the United Textile

Workers. Sharp recriminations and picketing of each others meetings, were only some of the attendant evils manifested.

That the strike could have ended successfully weeks before it did, is evident from the very facts of the struggle. When the Pacific Mills, the largest in Lawrence, threw out feelers for a settlement, there was no single union representing the workers to deal with the owners. However, compelled by the very forces of the struggle, there was again formed a joint council. This time it included the United Textile Workers, the National Loom Fixers' Association, the One Big Union, and the American Federation of Textile Operatives. At the mere announcement of this federation, the textile barons declared the old wage scale restored without further negotiations. This backdown by the employers, came even before the workers could actually resort to practical joint action.

The why and wherefore of this division in the ranks of the workers imbued with so valiant a fighting spirit is presented in the following view of the situation by the *Labor Herald*, official organ of the Trade Union Educational League.

"This splendid spirit of the rank and file could have won the fight in short order, but for the criminal stupidity of the textile unions. When the need for a solid front was so apparent, the 'leaders' of the textile unions were guilty of keeping Labor's forces divided. Each union tinkered with the fight in its own manner. No efforts were made to unite the workers of the Blackstone Valley with those of the Pawtucket Valley. Instead of healing the many divisions that existed throughout the textile labor unions, the officialdom endeavored to intensify them."¹⁶⁾

16) *Labor Herald*, November 1922—Page 21—"Chaos in the Textile Industry" by H. J. C.

Significance and Outlook

The revolt of the textile workers was the first battle in the brilliant campaign of resistance, the giant strikes of 1922, against the savage offensive of the employing class aimed at lowering wages, raising the hours of labor and smashing the unions. When the textile workers rose to battle their exploiters, they were fighting not only their own fight, but the fight of all the workers as well. The remarkable struggle put up by the workers in this strike has had a buoyant effect on the militant spirit of all the workers. The textile strike, thru the very tenacity and determination of the workers, was the first important setback administered to the employers in their anti-labor drive. As such, it is to be recorded as one of the most glorious battles in the annals of our labor history and one of the most heroic strikes waged by the workers in the United States.

Temporarily, at least, the strike wave in the textile industry has subsided. There is a lull in the storm. However, a new storm, more furious, than the last one is on its way. The textile barons, completely surprised by the magnificent resistance of the workers, and driven on by the fear of a loss of profits due to a shut-down during the present flurry of business prosperity, yielded and withdrew their order for lower pay and a longer working day. But they are already preparing for the next battle. Mr. J. H. Tregoe, Executive Manager of the National Association of Credit Men, has aptly called the present peace merely an "emergency settlement."¹⁷

What shall the workers do? How shall they prepare for the coming struggle?

The strike has greatly swelled the ranks of the unions. The little organization they had at the outbreak of the strike has been greatly strengthened. The time to learn from the mistakes of

17) New York Times, October 9, 1922.

the past is now. It is urgent that the workers immediately lay the basis for unity of action in peace and in war. The proposal following, that of the Trade Union Educational League, is practical and necessary:

"If ever there was need for amalgamation and the fusing together of unions, that need is now in the textile industry. This needed unity can only be achieved if the rank and file in the industry get busy and demand it.

"That should be the immediate program of every live union man in the textile unions."¹⁸⁾

And what the workers can expect from the Government in such a struggle is obvious. The full military and judiciary forces of the Government, the powerfully organized brutality and violence in the form of courts and armed strikebreakers in and out of uniform, will be unleashed against the workers. The strikebreaking record of the Government in this textile strike is noteworthy for its blackness and sinister recklessness.

Because of this vicious alignment of dollar and bayonet, textile overlords and robed tyrants, the need for a united front is greater than ever before. To send small, poorly armed bands against the serried ranks of the employing class and its protectors, armed to the teeth with all the hellish devices of modern warfare, would be suicide—stupid and criminal. The workers must pit unity against unity—then victory will be theirs.

18) Labor Herald—June 1922, Page 29.

CHAPTER IV.

THE MINERS ON STRIKE—AN ARMY AT WAR

“... Finally, these men, already harassed and unable to earn a wage to live, as distinct from a living wage, left their work when their existing insufficient incomes were slashed and a hope for improved conditions for themselves and their babies was flatly denied them.

“Scores of these miners, poverty-stricken and unable to go thru the coming winter unless help is given them, poured out such tales of suffering and mistreatment as would melt any heart except that in the stony bosom of a coal baron. We have seen in the tents, in the hencoops, and in the stables where the miners and their families sought shelter after having been summarily evicted from their homes by the coal and iron police, hungry babies and women whose feet were bare and bleeding and whose limbs were thinly clad. . .

*“No Egyptian Pharoah, rearing for his glory a towering monument, ever drove men harder than these miners were driven. No Czar was ever more autocratic than these predatory interests of big business.”*¹⁾ (Our Italics).

WHEN miners strike, there is fight. And when miners fight there is war! Hostile State and Federal Governments, armed strikebreakers in and out of uniform, injunctions, gunmen, forced marches, evictions, legalized murder, and jails fill

1) From the Report on Conditions in Somerset County, Pa., by the New York Municipal Investigating Committee, David Hirschfield, Director of Accounts, New York, Chairman.

the annals of the heroic struggles waged by the mine workers of America against capitalist exploitation and oppression.

Clearing the Ground.

Over 600,000 coal miners "downed tools" on April 1, 1922, in protest against drastic wage-reductions and degrading working conditions.

The coal-operators picked the Spring of 1922 as the most appropriate moment for launching their campaign to crush the union. From every point of view this was a favorable time to them for a showdown.

First of all, there were on April 1, according to the Report of the Director of the United States Geological Survey, 63 million tons of bituminous coal on hand. This was a quantity sufficient for 55 days. With the summer months coming, this supply looked big enough to the Operators to afford a chance to reap swollen profits on famine prices for a period longer than the workers could hope to stay out. They also counted on non-union miners to augment the supply sufficiently and continuously.

The Operators were further emboldened by the fact that there were then over 4,000,000 unemployed. They counted on being able to recruit a vast horde of strikebreakers from this gigantic industrial reserve army. Besides, the coal magnates believed the union itself was in bad shape. Its treasury had been drained by costly litigation in the courts and the Mingo struggle of twenty-eight months entailing an expenditure of nearly \$2,000,000.

For these reasons the mine owners were anxious to force a strike on the workers at this time. For the same reasons the miners were equally anxious to avoid a strike. And for these very reasons the Government was anxious to help the Operators in their union-smashing plans by refusing to take any steps to prevent the strike. Despite the fact that it, the Government it-

self, was a party to the agreement of 1920 providing for arbitration, it, the Government itself, not only didn't prevent the Operators from violating the contract—an instrument that is officially sacred only when it can be turned against the workers—but even went out of its way totally to forget its own contractual obligations.

Months before the outbreak of the strike it was plain that this would be the Government's policy towards the strike issue in the mines. Congressman Huddleston pointed this out very clearly in January, 1922.²⁾ And the *Washington Herald* said:

"That a strike would seem inevitable in the bituminous fields at the expiration of the miners' present national agreement, March 31, is the belief of Secretary Hoover. If the bituminous miners walk out, say labor leaders, the anthracite miners will follow them, throwing 500,000 men into the strike.

"*'There seems little possibility,'* Secretary Hoover said, *'that any machinery might be set up to avoid the strike. The Government has taken no further steps to avoid the walkout. Unless something unforeseen occurs to adjust the difficulty, it seems that the stage is set for a strike.'*

"The Government's position has long been known to be that sooner or later there would have to be a showdown in the mine fields. *Its attitude is that if a strike must be, it must be, and the sooner the issue is disposed of, the better.*"³⁾ (Our Italics).

In this officially inspired interview, in a paper whose interests are largely controlled by Hoover himself, the cat is let out of the bag. The Government, like the Operators, wanted to see the strike come at this time.

2) Congressional Record, January 21, 1922, page 1715.

3) Washington Herald, January 20, 1922.

Breaking the Agreement.

In March 1920, at the urgent solicitation of the Government through the Bituminous Coal Commission, the miners and Operators entered into an agreement which, among other things, provided for the holding of an Interstate Joint Conference prior to April 1, 1922, to adjust differences. This section read:

"Resolved that an Interstate Joint Conference should be held prior to April 1, 1922; the time and place for holding such meeting to be referred to a committee of the Operators and two members from each State herein represented, together with the International officials of the United Mine Workers of America."

This agreement covered the Central Competitive Field—Western Pennsylvania, Ohio, Indiana, and Illinois. Bound by this agreement, President Lewis of the United Mine Workers, as early as December 1921, called on the Operators to meet in Pittsburgh in January. This invitation the operators turned down. A similar fate befell his February request for a meeting with representatives of the miners to be held in Cleveland on March 2 in order to negotiate another two-year agreement. Thus, though contract-bound, many Operators spurned the call. Other Operators were ready to meet only District representatives and enter into local agreements. This policy was aimed at dividing the workers. The Operators knew that it would be much easier to oppress the miners if they were to face them divided than if they were to deal with them as one big unit on a national scale. The miners would not fall for this trap of their exploiters.

Anent the breaking of this agreement even Secretary of Labor Davis, an un-hyphenated, one hundred per cent member of Harding's Cabinet has been compelled to state that:

"In fairness it must be said that the miners' officials were willing and ready to go into the Conference

agreed upon, but some of the Operators declined to meet.

"The Operators and miners were bound to a Conference; that this Conference might have led to a new agreement, and the country might not have been confronted with a stoppage of coal production, a suspension avoided, ample supplies of coal and a gradual reduction of prices would have resulted.

"I cannot but express keen disappointment at the failure of certain Operators to fulfill the terms of their obligation to meet in Conference with a view to peace in the coal industry for two years more."⁴⁾

In the face of this admission, the subsequent attitude and conduct of the Government throughout the mine strike is a lesson painful to the memory but most worthy of being learned.

On the Eve of the Struggle

Since 1896 the agreement in the Central Competitive Field has served as the basic wage agreement for the entire bituminous coal industry.

Many Operators ordered wage reductions ranging from 20 to 40 per cent. They ordered that the check-off system be discontinued. The loss of the check-off would have dealt a mortal blow to unionism in the mining industry. The Operators knew this and they were therefore bent on abolishing this procedure. As Mr. Thomas H. Watkins, President of the Pennsylvania Coal and Coke Corporation, has said:

"The check-off means collection by the operators, from the mine workers' pay envelopes, of dues and assessments levied by the union. *This the Operators considered illegal and immoral, as the funds so collected were used to create a war chest for fighting the union Operators, and particularly for financing the miners'*

4) Congressional Record, Vol. No. 91, p. 5328, March 31, 1922.

campaign for unionizing the balance of the coal fields of the country. The question is still undecided as to the Operators' liability in being a party to collecting these dues when any part of them is used to finance a campaign which interferes with the operations of non-union producers."⁵) (Our Italics).

As usual the capitalists here also find that unionization and a solidifying of the workers' ranks are illegal and immoral.

In reply, the miners demanded that the Basic Central Competitive Field Agreement, the check-off and the existing scale of wages continue. They also demanded a six-hour day, that is from "bank to bank," inclusive of all the time spent in the mine, and a five-day week. This proposal was in effect only a plea for more steady employment, as the miners suffer severely from acute irregularity of employment.

On March 15 a conference was held in New York City with the anthracite Operators and a request was made for a 20 per cent wage increase and the renewal of the contract which expired on March 31. The negotiations failed. The Operators "indignantly and vigorously" rejected the proposals of the workers and the anthracite miners fell in line with their brothers of the bituminous fields to strike on April 1st.

The Strike Begins.

Hundreds of thousands of miners, anthracite and bituminous, unorganized as well as organized, left the pits on April 1. For the first time in their history the miners gave battle to their enemy on practically the entire national front. Especially inspiring was the conduct of the non-union bituminous miners. They answered the strike call *en masse* and flocked into the unions by the thousands. In the non-union fields controlled mainly by the United States Steel Corporation, in Fayette, Greene, and West-

5) New York Times Current History, November 1922, page 216.

moreland Counties of Western Pennsylvania, production was almost totally stopped. It was the heroic spirit and unflinching class loyalty of these unorganized miners that surprised the union men as well as the Operators and actually turned the tide in the struggle.

How this unexpected but most needed and welcomed support was obtained is vividly described in the *Labor Herald* by John Dorsey.

“The Connellsville coke region had resisted unionization for years; the H. C. Frick Company was a dictator of that region, and fixed wages, hours and working conditions. Feeney (an organizer of the U. M. W. of A.) laid his plans long in advance to pull this section of the miners out. Six weeks before the strike, he sent groups of picked men from the union fields into the Connellsville region to look for work. The companies were putting on more forces in anticipation of the strike. They thought these men were deserters from the union, looking for a job where the strike would not affect them, and gladly put them to work. But they were experienced organizers, men who knew how to do their work without the accompaniment of a brass band. The result was that when the strike came, tens of thousands of the supposedly non-union miners walked out with the union men, and immediately joined the organization.”⁶⁾

Within two weeks after the strike was declared 35,000 of these previously unorganized miners joined the union in Western Pennsylvania, District 5 of the United Mine Workers of America. As the struggle went on the pre-strike talk of separate District agreements dabbled in by Farrington, President of the Illinois Miners, subsided. Much to the disappointment of the Operators the miners did not brook any such talk and presented a united front along the whole line.

6) John Dorsey in the *Labor Herald*, May 1922, Page 4.

By the middle of July the Department of Labor found that 610,000 out of a total of 795,000 miners were on strike. In the anthracite fields of Pennsylvania the 155,000 anthracite miners struck one hundred per cent, and only 20,000 out of the 175,000 bituminous miners remained at work. In the Standard Oil Principality of Colorado and in the Steel Trust Barony of West Virginia thousands deserted the mines. In the face of an Anti-Strike Law 13,000 out of the total of 14,000 struck in Kansas. The miners of Illinois, Indiana, Iowa, Michigan, Montana, New Mexico, Ohio and Texas quit to a man. *In so far as numbers and solidarity go this was the greatest strike that America has witnessed.* It was the second great industrial strike in America, the Great Steel Strike of 1919 being the first.

Another Comparison.

The coal industry, like all other industries under capitalism, is running on the basis of having the worker turn out sufficient dividends to cover every period of the year, employment and unemployment, deflation and inflation, depression and prosperity. No matter what name the capitalist experts give to the conditions of exploitation forced upon the workers, it remains an indisputable fact that when the workingmen labor they must be contented with receiving little enough to permit a continuous flow of dividends. Any other condition, the official "economists" label as "abnormalcy." This is the pith of the problem in every strike, in every struggle of the workers. But with the workers, the story is entirely different. When they work they get barely enough to maintain themselves anywhere near the minimum level of subsistence. When they are unemployed—they must starve. Today, industries are not considered prosperous on the basis of the workers receiving what is due to them. The sole basis of evaluating the "soundness" of an industry today is whether there is a steady flow of dividends into the pockets of the

capitalists who do nothing for a living except own, that is possess title to some means of production or exchange—a title guaranteed by the full military and judiciary power of the State.

This condition is particularly aggravated in the coal industry. During the war the Operators were veritable ghouls. They ran riot in their profit-garnering. Said Wm. G. McAdoo, ex-Secretary of the Treasury:

“The coal operators assert that I gave out confidential information when I stated that profits of the mine owners in 1917 ranged from 15 to 2000 per cent on capital stock before deduction of taxes. This was not confidential information. The Treasury Department may publish statistical matter of this sort at any time. . . In short, many coal Operators got back their entire invested capital several times out of their profits in 1917, as shown by the reports, and must now be on velvet.”⁷⁾

As the war went on and the workers were dying on the battlefields of France and Flanders the merry dance of profits went on. The Federal Trade Commission found that:

“Twenty-one companies in the smokeless fields of West Virginia produced in 1919, 6,664,502 and in the first nine months of 1920, 5,019,327 tons. . .

“The rate of return of the individual companies making up this group of 21 ranges in 1919 from a loss of 24 per cent on the investment for one company to a profit of 45 per cent. for another company. For the first nine months of 1920 the range of return on investment was from a profit of 3 per cent. for one company to a profit of 268 per cent. for another company. The company making the profit of 268 per cent. was the same company which in 1919 had a loss of 24 per cent.

7) Associated Press Despatch, Philadelphia Public Ledger, November 28, 1919.

The estimated annual rate for the whole of 1920 ranged from 4 per cent to 357 per cent on investment."⁸)

The above percentages are all based on the figures submitted by the coal operators themselves. The names of the individual operators are completely withheld and shielded from public knowledge.

But even this condition did not suit the Operators. They were determined to deny their much-beloved "public" even the sparse, inadequate information of the above character. The National Coal Association, representing about 60 per cent of the coal operators of the country, called upon the courts to compel the Federal Trade Commission to discontinue the investigation. Said the Commission:

"The reason for the incompleteness of the Commission's information and for the necessity of relying on the National Coal Association's unrevised costs for the three years' period lies in the fact that an injunction was granted against the Commission by the Supreme Court of the District of Columbia on April 19, 1920, in the case of Maynard Coal Company against the Commission, wherein the Court's opinion held that the Commission was 'demanding information as to interstate commerce and as to coal production,' and that, 'no such visitatorial power as ~~that~~ claimed by the Commission in the instant case has been vested in Congress by the Constitution, nor could Congress delegate such power to the Commission'.

"Shortly thereafter 22 steel companies brought similar proceedings against the Commission touching its requirements, both as to steel and coal trade. In this case a permanent injunction was issued on March 10, 1922, by the same Court that issued the injunction in the Maynard case. . .

8) Senate Document No. 207—Part 2, Page 29. Submitted to 67th Congress, May 31, 1922.

"These proceedings and injunctions stopped the Commission's activities in the collection and publication of information as to coal and other basic commodities which the Commission, as a measure to abate the high cost of living, undertook to compile and publish currently, beginning 1920. . ."⁹⁾

Now, when Congress investigates profits, the commodity in question, in this case it happened to be coal, is not an article involved in interstate commerce. But when a State attempts to investigate profits, the same commodity, at the touch of a robed alchemist, instantly becomes an article involved in interstate commerce as described by Congressman Newton of Minnesota:

"About the same time the Regulatory Commission of the State of Indiana issued an order to certain coal companies requiring them to file with the State authorities a statement of the cost of mining coal. The National Coal Association, or some of its members, contested this order on the ground that the entire output of these mines would go largely into interstate commerce and was wholly without jurisdiction of the State of Indiana, and that only the Federal Government had the jurisdiction to require such information. . .

"The National Coal Association and its members have, by these two proceedings, placed the public in a sort of constitutional 'no man's land', where it is being shot at from both sides through the levying of increased prices for this necessity of life."¹⁰⁾

How helpless the Government is when it attempts to pry into the secrets of its master, the employing class, is admitted by the wealthy ex-Senator Frelinghuysen, who confessed that "The coal lobby has tied the Government's hands and poked out

9) Ibid—Pages 2-3.

10) See Congressional Record, Vol. 62, No. 71, page 4033, March 8, 1922.

its eyes." What a poor, weak Government we have when the interests of the capitalists are involved in the slightest way. Really, mercy yells for help in this case!

This great power of the Coal Trust stands out in bold relief when we look at a cross section of its organization. The anthracite industry, for instance, is a closed corporation. Eight companies which not only mine coal but also own the railroads hauling the coal within these fields control approximately 75 per cent of the output. These are:

- 1) The Hudson Coal Co.
- 2) The Lackawanna & Western Railroad Co.
- 3) The Lehigh Coal and Navigation Co.
- 4) The Lehigh Valley Coal Co. (including Coxe Bros. & Co.)
- 5) The Lehigh & Wilkes-Barre Coal Co.
- 6) The Pennsylvania Coal Co. (including Hillside Coal & Iron Co.)
- 7) Philadelphia & Reading Coal & Iron Co.
- 8) The Scranton Coal Co.

These eight companies had a combined production of 73.4 per cent. of the total anthracite produced in 1919.

Such a condition prevails in the entire coal industry, though not as acutely in the bituminous industry. We find that the United States Steel Corporation and the Railroads own almost 75 per cent of both the anthracite and bituminous coal fields. They control the output of coal through thirteen of the leading financial institutions.¹¹⁾

The U. S. Steel Corporation controls the Federal Steel Corporation of New Jersey, which owns the Illinois Steel Co. which

¹¹⁾ See Congressional Record, Vol. 62, No. 91, page 5328, March 31, 1922.

in turn owns all the stock (\$2,000,000) of a company appearing in the open as the United States Coal & Coke Co.¹²⁾

It is evident that Mammon, the God of today, like his predecessor Jehovah, the God of yesterday, also has his Bible—especially when we consider the “begetting” process.

These are the exploiters of the coal miners. These are the same capitalists who exploit the steel workers, the railroad workers, and millions of other workers. It is for these Steel and Coal Barons, and Rail and Money Lords that the American workers are grinding out profits. It is because of the burdensome tribute paid to these capitalists that the miners are working for such small pay and under such degrading conditions.

The Wages and Working Conditions

The capitalist class has been doing a tremendous amount of howling over the “high”, the “excessive” wages of the miners. Such noise is the grossest outrage perpetrated on truth.

According to the findings of so conservative a Congressman as Representative Bland of Indiana the mine workers’ earnings average as follows for 1921:

District	Average Days Worked in 1921	Average Earnings
Ohio	119	\$550
Pittsburgh	123	762
West Virginia ...	80	500

In Tennessee, one third of the workers averaged one third time and earned \$105 per month per man when at work.¹³⁾ Furthermore the Federal Council of the Churches of Christ has pointed out that:

12) United States of America, Appellant, Vs. U. S. Steel Co. et al., Supreme Court Term, October Term 1916, No. 481. Brief for the Appellant, pages 755-6.

13) See Congressional Record, March 17, 1922.

"At the hearings on the Bland Bill before the House Committee on Labor, Mr. John Brophy, President of District No. 2, Central Pennsylvania, presented data which he had gathered on the earnings of 31,979 mine workers in Central Pennsylvania for the year 1921. The average for the year for all of the miners in the territory covered was \$760 or \$14.60 per week. The average amount of operation for all the mines in which these workers were employed was 122 days."¹⁴⁾

For the period of June 1, 1918, to May 31, 1919—a period in which the coal operators made profits running into thousands of per cent. the Department of Labor found that 95.6 per cent of the mine workers in an anthracite community earned less than \$1850; 63 per cent. less than \$1250 and 16.6 per cent. less than \$850 per year. Of the latter, 91.8 per cent reported unemployment; of those earning between \$850 and \$1250, 83.9 per cent. reported unemployment; and 55.7 per cent of those earning between \$1250 and \$1850 reported unemployment.¹⁵⁾

Also, Mr. Basil Manly has pointed out that:

"In the mining regions only one-third of the families are entirely supported by the earnings of the husband, while the other two thirds are dependent for subsistence on the supplementary income derived from the labor of the wife and the children or by keeping boarders and lodgers."¹⁶⁾

And here follows an actual case in the Cossack-ridden State of Pennsylvania:

"My husband was a night watchman," said Mrs. Beal. "He worked twelve hours a night and seven nights

14) Bulletin No. 2, Federal Council of the Churches of Christ in America, "The Coal Controversy"—Page 25.

15) Bulletin Number 106, Department of Labor, "Child Labor and the Welfare of Children in an Anthracite Coal Mining District," 1922, p. 29.

16) Are Wages Too High? By Basil Manly, Page 17.

a week and his monthly salary before April 1 was \$147.50. He was cut \$37.50 in April, but never knew it until he tried to draw his pay. My husband has worked several years for the company. Every two weeks, on pay day, he drew \$1 in cash. The rest of his salary we deducted for groceries and other articles that we were forced to buy at the company store.’”

When asked by the questioner, Commissioner Hirschfield, what she did with the dollar, the woman replied:

“‘I usually gave it to our doctor. . . I paid him by the week for his services in attending me when I had my babies. I then got through paying one bill when I had my last child. A few weeks later we were evicted from the company house.’”

To the question of the Commissioner as to where the family had been living since the eviction the woman answered:

“‘In a washhouse, ten feet square. Five of us sleep in one bed.’”¹⁷⁾

It is through such low wages that the Lehigh & Wilkes-Barre Coal Co. has been able to increase its surplus from 1912-1920 nearly 900 per cent—from \$3,500,000 to \$27,000,000, and paid dividends as high as 305 per cent; that the Temple Coal Co. increased the net income on its capital stock from 29.3 per cent. in 1912 to 121 per cent. in 1920; that the Lehigh Valley Coal Co. was able to increase the value of its property from \$5,500,000 to \$12,000,000, reduced its bonded debt from \$20,000,000 to \$11,500,000 and pay dividends of 190 per cent; and that the Philadelphia & Reading Coal Co. increased its surplus by 1700 per cent., from \$1,500,000 in 1912 to \$25,000,000 in 1920, and

17) Associated Press Despatch, New York World, November 1, 1922, quoting testimony given before the N. Y. Municipal Coal Investigating Committee.

increased the value of its property from \$9,500,000 to \$33,500,000—an increase of 360 per cent.¹⁸⁾

Yet the Operators were yelling poverty and insisted on reducing the already grossly inadequate wages by from 20 to 40 per cent.

Because of these starvation wages many children are compelled to work and thus denied even an elementary schooling according to the U. S. Department of Labor.

“Of the 3136 children between 13-16 years of age who were included in this study, 1349 had left school for regular employment. At the time of the investigation, 1332 were so employed, and 296 were employed at vacation or after-school work, or both; so that more than half, 51.9 per cent., of the children could be described as working children. Of these 1,107 were boys and 521 girls.”¹⁹⁾

And the working conditions are no less intolerable for these boys and girls than they are for their fathers. As one worker said to the investigator: “If you don’t die you wind up in the breakers. You begin at the breaker and you end at the breaker, broken yourself.”

Working Conditions

Irregularity of employment is one of the worst diseases afflicting the miner’s life. It means aggravated unemployment for him. The miner cannot know today whether there will be work for him tomorrow. Many times, at the whistle’s call of “work” in the evening and the morning, the miner will rise at four in the morning, set himself ready for work, walk more than five miles to the pit, and then be informed that there is nothing

18) Speech of Representative Newton, Minn., Congressional Record, March 8, 1922, page 4040.

19) Department of Labor Bulletin No. 106, page 11

doing because the Railroad Company had failed to furnish empty cars. Picturing these conditions before Congress, Representative Ricketts of Ohio, said:

“Men working in this district (Crooksville) never have an opportunity to straighten themselves or straighten their backs during the day until they go out of the mine in the evening unless they choose to lie flat on the floor or bottom of the mine. They enter the mine in the morning and sometimes they have to walk for miles in a stooped position to their work. They are frequently compelled to go through mud and water in order to reach their work.”²⁰⁾

Pneumonia, consumption and colds are not uncommon amongst the miners. They are continually exposed to gas and dust explosions, to the falling of slate and coal, mine damp, fire, drowning and electrocution. Denial of sunlight and fresh air accompany the starvation wage of the miner in his hard lot.

In 1921, despite severe unemployment, the toll of killed in the mines was 1,973 according to the report of the Bureau of Mines.

Here is a description of working conditions for boys and men in an anthracite district from the findings of the U. S. Department of Labor:

“These older men and boys worked in the constant roar which the coal makes as it rushes down the chute, is broken in the crushing machines, or sorted in the shakers. Black coal dust is everywhere, covering the windows and filling the air and the lungs of the workers. The slate is so sharp that the slate pickers of ten cut or bruise their hands; the coal is carried down the chute in water and this means sore and swollen hands for the pickers. The first few weeks after

20) Congressional Record Vol. 62, page 5698.

a boy begins work his fingers bleed almost continuously and are called red tops by the other boys."²¹⁾

And despite all this the American miner is the most productive in the world, as shown by the *Christian Science Monitor* investigation.

"The American miner has the greatest per capita output of any miner in the world. The production per man increased from 579 tons in 1890 to 942 tons in 1918. The British worker manages to get only 250 tons a year, or three and three-quarters times less."²²⁾

Yet, what are the rewards of the miner, the worker who actually takes his life into his own hands every time he steps into the pit, the worker who digs the coal? Answering this question the Federal Council of the Churches of Christ says:

"The indication points to an annual wage lower by \$430.45 than the minimum budget necessary for a workingman's family as compiled by the National Industrial Conference Board (an employers' organization) for Detroit, Michigan, September 1921. This is their most recent cost budget and it totals \$1697.95."²³⁾

The prevailing conditions on the eve of the strike were forcefully told by Elmer O. Pettit, for eight years a Common Pleas Judge in the Hocking Valley District of Ohio. It was sent to Representative Ricketts of that State on March 25, 1922.

"Distress among the coal miners in Hocking County is alarming and I am informed that similar conditions exist in Perry and Athens Counties. In Hocking County the coal producing area, as you know, is

21) U. S. Department of Labor, Bulletin No. 106, page 16.

22) Report of Investigator, appearing in *Christian Science Monitor*, Nov. 17, 1922.

23) "The Coal Controversy," page 25 (Federal Council of the Churches of Christ in America).

somewhat limited; yet a careful survey made by the committee on relief for this county, of which I am chairman, shows that there are in our County alone 127 families, comprising in all 725 persons, who are in absolute need of food. . .

"It seems now certain that there will be a strike commencing on April 1, and there will be no work at all at the mines. For the last sixteen months or more there has been but little work for these people, and until recently they lived upon their savings, what little they were able to earn, and the union allowances. The picture is dark enough without going further. . . .

"I have no doubt that many of them have suffered because they were too proud to make known their condition. . . ."24)

The Strike in Full Swing

Imbued with an intense hatred of these abominable working and living conditions, the miners, long in the front ranks of the American trade unionists, presented an impregnable line against their enemy—the united army of the Operators and their Government agents. They displayed unheard of solidarity in the face of the indescribable brutality of the forces arrayed against them. Despite extensive troop movements and the undivided support given to the Operators by the Government, after its expectations as to an early defeat of the miners proved entirely unfounded, the heroic strikers fought on. The reserve supply of coal was exhausted. The non-union production did not come anywhere near the hopes of the Operators and their Government henchmen. The Government soon became convinced that bayonets could be used only for murdering workingmen—but never for digging coal.

The miners knew their opponents. They knew the determination of their bosses to make them pay the cost of depression

24) Congressional Record, Vol. 62, No. 96, page 5696.

in order to continue the steady flow of dividends for those who do nothing for a living except own. Whatever attempt at hiring strikebreakers that was made by the Operators with the assistance of the Government turned out to be a fizzle. At Herrin, the miners showed that they could not be overwhelmed by armies of gunmen and they rose in heroic defense of their lives and jobs. After the struggle at Herrin the production of non-union coal fell off by almost 50 per cent.

This incident aroused a desire for savage revenge among the capitalists. From the Stock Exchange in Wall Street to the White House in the Capital the cry for capitalist justice—merciless retribution for the punishment administered to the gunmen at Herrin—was most frantically echoed. But the answer of the miners was *greater solidarity*.

A miners' strike is a war. It covers a front of hundreds of miles and involves hundreds of thousands of men. In this miners' war, as in any other modern war, the problem of food is most important. An army of miners on strike like an army of attack must have food. The commissary division of the United Mine Workers has long ago won its spurs in action. In this problem of food, however, it is the women who bear the brunt of the burden. It is they who must answer the call of the famished infant and the starving child for bread. The wives of the miners play a role of great significance in determining the morale of the miners. And in this bitter struggle the wives of the miners did not falter or fail for even a moment, as the *Labor Age* well said:

“Back of the great fight put up by the miners is the heroic loyalty of the miners' wives. . .

“In the late Great Mine War they went cheerfully into the tent colonies. They gave birth to children in the open fields. They cooked without sufficient water, because the companies in several places cut off their

supply. They were driven out of their homes at night with no place to go. They were subject to the insults of the State Constabulary and mine guards—and in some instances were assaulted and raped by these thugs.

"Their sufferings made possible the united front."²⁵)

Strike Deadly Effective

As the strike went on its effect on industry became more and more paralyzing. This situation, aggravated by the strike of the railway shopmen, was rapidly driving the country headlong to a standstill in industry.

The reserve supplies held in store by the thousands of corporations throughout the country were steadily being exhausted. The steel industry was confronted with a condition whereby it could not weather a few days of severe weather. Henry Ford issued an order to close his plants and wired the thousands of companies selling him accessories in the following words:

"On account of coal we will be unable to operate our plants after Saturday, September 16. No material will be accepted if shipped other than mentioned in letter following."

In New York, the United Real Estate Owners' Association, announced on August 27th, that its survey indicated that of its eleven thousand members only a "few coal users have coal for more than a month's use." Despite the fact that through the arrangements of the Shipping Board the importation of British coal was intensified, the pinch was beginning to be felt very severely. Plans were considered to convert the skyscrapers and the giant office buildings of New York from coal into oil burners.

25) Labor Age, Oct. 1922, page 23.

The Government Runs to the Rescue of the Operators

After two months of struggle the Government made a complete right about face in its strike policy. It became convinced that the showdown which, back in January, it was so anxious to force on the workers did not develop at it hoped. From the very moment that the occurrence of the strike became a matter of fact the Government showed where it stood. When the strike became so effective as to gnaw into the dividends of the huge corporations, the Government openly dropped its hands-off policy. The Government clenched its fists, it showed its teeth, and the workers felt its heavy military and judiciary hands grip their throat. The Government was bent on breaking the strike or at least saving its poor Operators from an ignominious defeat at the hands of the fighting miners whose only crime was that they had dared challenge the right of their bosses to drive them further down the road of misery and starvation.

Injunctions as usual were the first aid rendered to the capitalists by their Government. These injunctions were of the most sweeping character, as pointed out by Mr. Searles, editor of the *United Mines Workers' Journal*:

"Dozens of such injunctions were issued by West Virginia Courts. They were of the most drastic character, making it impossible for union miners to meet together, discuss the strike or aid or assist those on strike. The collection of the check-off was prohibited by injunction. Every possible activity was made impossible. The result was that these injunctions broke the strike in some places, as it was intended they should, and the strike, to some degree, failed there. It was a clear case of driving unwilling men back to work with injunction writs. . ."²⁶⁾

26) N. Y. Times Current History, Ellis Searles, Nov. 1922, page 220.

In Pennsylvania the local Government was especially energetic in smashing the union and oppressing the workers, according to Mr. Hays of the Civil Liberties Union:

"The coal and iron police, mounted and heavily armed, acting under the directions of the coal company, permit no one to stand for a moment on the streets, and greet arrivals with threats of arrest, obscene language and physical violence. . .

"We identified the police who had assaulted us and the company officials who had given them orders, and I was on my way to the Justice of Peace, (at Vintondale) who was holding court in the Coal company's office, when I was arrested on the charge of trespassing. I was seized by two troopers who threw me into a filthy cell. . .

"When I appeared before the Justice of the Peace he informed me that he would hear my case. He asked me if I was ready for trial, and when I replied in the affirmative, his answer was: 'Guilty; I fine you Five Dollars.' I protested at this and he then announced that he would suspend the fine on condition that I would leave the town. When I refused to leave Vintondale and demanded a hearing, he then stated that the case was concluded; that I was not guilty and would not be fined, and he and the company left me alone in the court room.

*"This terrorizing of citizens on the part of the coal and iron police is no mere incident of the strike. The coal companies have exercised complete control over the civil authorities of Vintondale and other mining towns for many years. They employ their own policemen; they close post offices, eject visitors from the towns, and hold court in their own offices. . ."*²⁷⁾ (Our Italics).

This is a capitalist dictatorship—a rule of the employing class, by the employing class and for the employing class in the

27) Report of Arthur Garfield Hays, investigating mining conditions for the Civil Liberties Union.

"democratic" commonwealth of the great Keystone State. And discussing the coal situation Representative Thomas of Kentucky made it plain that:

"West Virginia is without a Republican form of Government, and about the only law executed in that State is the will of the Guggenheim and similar interests which have adjusted wages downwards until the wages of most miners in the State are less than \$300 a year. . .²⁸⁾

The employers were not content with the free use of State troops. They maintained their own armies and had an elaborate private spy system. These gangmen of the capitalists will resort to any tactics against the workers. Describing the results of these methods the *N. Y. World* said:

"An elaborate system of espionage was developed and pretexts were found for jailing organizers. Automobiles full of armed guards were in ambush near the Lincoln Highway, and when cars containing organizers passed they were followed so closely that they could not stop without danger of a crash. Court records filled up with homicide cases, in which a majority of decisions favored the company representatives. There were grave charges of perjury and injustice in the courts. . .²⁹⁾

And the *Journal of the Locomotive Firemen and Enginemen* cites this case: ♥

"A large body of women gathered and urged the men not to return to work. The uniformed guards at the plant rounded up the women and running out a line of fire hose prepared to drench them. The sight of

28) Congressional Record, Vol. 62, No. 92, page 5414.

29) *N. Y. World*, October 15, 1922, Elizabeth Houghton, Staff Correspondent.

the hose, reports to the county authorities said, threw the women into a panic, some of them becoming hysterical. . . .³⁰⁾

In the President's own State of Ohio the situation for the workers was just as bad. The iron rule of the mine bosses was supreme, as the following report of a local miners' defense committee shows:

"Bellaire, Ohio.—Dan Agosti, one of the thirteen miners who were indicted in the New Laferty, Ohio, trouble between miners and strikebreakers was found guilty of murder in the second degree last week.

"Agosti is the second one to be tried in this case. Another, Dominick Venturato, President of a miners' local in District 6, United Mine Workers, was tried in August and found guilty of murder in the first degree.

"Agosti, Venturato, and eleven others were held for the death of John L. Major, a non-union operator. Major and a party of strikebreakers came upon a mass meeting of striking miners at New Laferty, Ohio, on the morning of June 27th last. Someone from among the miners that gathered around their machine opened fire and Major was killed.

"Subsequent to many arrests, thirteen miners were indicted on charges of conspiracy, including Robert Farmer, a Vice-President of Sub-District Number 5 of District Number 6. The trial of Agosti was characterized by the adverse rulings of the Judge, particularly in the selection of jurors, and with the result that those who might have been counted on as fair, were disqualified. *One woman juror was dismissed because her husband worked in a mine, although she qualified in every other way. It is also the source of much complaint that this Judge, whose name is Cowen, selected the jury venire from a class who were strongly prejudiced*

30) Report from the Collier Mine, H. C. Frick Co.—Locomotive Firemen and Enginemen's Journal, Sept. 15, 1922.

against the defendants, over the repeated protests of the attorneys for the defense.

"Strange to say, this same judge and the special prosecutor in the case were, at one time, while law partners, the attorneys for the miners' union in this vicinity, but were removed by a convention of the Sub-District. . .³¹⁾ (Our Italics).

Yes. Many strange things do happen when the capitalists demand the blood of their innocent workers—and when their demand is made good by the employers' government.

Evictions and intimidation of the most unbridled character have proved a powerful weapon in the hands of the Operators, according to the following findings of Powers Hapgood.

"The coal companies in all these counties have served five-day eviction notices on a great many of their employees, hoping by that means to intimidate the men to come back to work under non-union conditions. In many instances deputy sheriffs employed by the coal companies have even thrown families and their furniture right out on the road before the union was able to supply them with tents. . .

"In Somerset County in the month of April there were 347 new deputy sheriffs commissioned by the sheriff of Somerset County. The wages of these deputy sheriffs were paid by the coal companies who asked the sheriff to deputize them. The sheriff received \$1 per day for each deputy that he commissioned for the company. . . .

"When a miner who is unable to speak English or defend himself in Court is arrested he is usually found guilty of the trumped-up charges which the mine guards bring against them, even though they be entirely innocent. . .

"Not only were the union men often put in jail for doing nothing at all, but in numerous instances they

31) Bulletin of the Miners' Defense Committee, Sub. Dist. 5. Dist. 6, U. M. W. of A.

were brutally handled. The most notable case of this treatment is the Jerome Mine of the Hillman Coal and Coke Co. Here several men who merely asked some imported strikebreakers if they did not know there was a strike on were beaten over the head and shoulders with blackjacks by the mine guards and then put in jail and charged with inciting to riot. . . .³²⁾

And if by chance the coal companies did not own some land used by evicted strikers, they always found the means further to browbeat their workers. An investigator of the *New York World* has shown that:

“Land has been bought up from the neighboring farmers to prevent the establishment of tent colonies. Tony Neri, an Italian farmer, was offered \$5000 for a farm worth \$1000 (his own evaluation), when he refused to forbid a strike meeting being held there.”³³⁾

Harding Dons the Strikebreaker's Uniform

We have seen how the Government pursued a “hands-off” policy before the strike because it believed that the workers would be decisively beaten.

When the strike was in full swing, Harding, as chief spokesman of the Government developed a strong policy—that is a crushing policy against the workers. After admitting that he was unable to compel the strikers to accept “arbitration”, he issued a public declaration condemning the valiant miners who had been fighting for nineteen weeks for refusing to surrender. He again urged all Operators to resume mining under the protection of the bayonets of the Government troops. He said in his strikebreaking message of August 18th:

32) Report of Conditions in Coal Fields by Powers Hapgood.

33) *New York World*, October 15, 1922. Elizabeth Houghton, Staff Correspondent.

"The simple but significant truth was revealed that except for such coal as comes from the districts worked by unorganized miners, the country is at the mercy of the United Mine Workers."

To the President as to every other strikebreaker, as to every other capitalist agent, a union becomes a criminal organization when it becomes strong enough to challenge the power of the employers ruthlessly to exploit and oppress the workers. No such words were used by Harding when the Operators and the Government itself broke a contract with the miners because they thought the time for exterminating the union was ripe. Then, as a servant of the employers, Harding was not even aware that there was a strike problem in the coal fields. But once the strike was on, Harding turned his rostrum into a cesspool of lying propaganda for the Operators. In the same strikebreaking message he delivered this sample of imagination run amuck:

"Governors in various States report that their Operators and miners had no dispute and were eager to resume production. District leaders informed me that their workmen were anxious to return to their jobs, but that they were not permitted to do so. Hundreds of wives of workmen have addressed the White House beseeching a settlement, alleging that they knew no grievance."

"Our" President is really running to the defense of outraged innocence. The women, the wives of the workers, who were clubbed, drenched, insulted, and evicted had no grievance. Truth yells for help.

Nearly every mining State had troops, in addition to the Deputy Sheriffs and private gunmen, defend the "right to work"—of the strikebreakers. As per Harding's orders the flag was unfurled at the mines by the Governors of many States. But not even Warren Gamaliel Harding could use the flag as a means

of blindfolding the workers when it was used openly to serve as a screen behind which the strikebreakers were ordered to hide. How this policy has failed was well told by Mr. Searles:

"Governor Sproul of Pennsylvania sent eleven hundred soldiers into the bituminous fields of Western Pennsylvania to guard the army of men that was to flock back to the mines, but the army did not flock. A few strikebreakers were imported into the mines, but the production of coal did not increase. Operators were unable to deliver on their promise of production under military protection. Governor McCray of Indiana sent a thousand soldiers into the mining field of that State, where they remained for several weeks, and in all that time there was produced about 1600 tons of coal at a cost to the State of approximately \$100 to \$150 a ton, including the cost of the military display. Other States had a similar experience. . . ."34)

Profiteering Rampant

While Harding was fretting about the country being at the mercy of the United Mine Workers, the Government through its Department of Justice was giving a free rein to the Operators who could supply coal to charge to their pockets' delight. In his strikebreaking message already mentioned the Chief Executive spoke very tenderly and appreciatively, to say the least, of the noble "conscience" of these public-minded Operators.

"The Administration earnestly has sought to restrain profiteering and to secure the rightful distribution of such coal as has been available in this emergency. There were no legal powers for price control. There has been cordial co-operation in many fields, a fine revelation of business conscience, stronger than the temptation to profit by a people's misfortune."

34) N. Y. Times Current History, November 1922, page 220.

It is interesting to note that when it comes to controlling the Operators from unbridled reckless plunder our worthy President relies on the conscience of these conscienceless ghouls, but when a struggle of starving oppressed workers is considered the President rushes troops, implores courts, and threatens new legislation to break the strike.

Henry Ford charged that the Railroads and the coal corporations were in an agreement to raise the coal prices. "There is no use trying to balk them, and I, for one, am tired of trying," he said. And Governor Edwards of New Jersey was forced to appeal to Governor Sproul of Pennsylvania to do something as the anthracite Operators were turning fixed maximum prices into ever-rising minimum prices. In his telegram of October 6th to Governor Sproul, the Governor of New Jersey said:

"Complaints are coming daily to our New Jersey Fuel Commission from retail dealers of the insistence by independent Operators in charging as high as \$14.50, or \$6 in excess of the maximum price per ton fixed by yourself and your State Commission as the price of anthracite coal at the mines. . . .

"Cannot something be done to remedy this situation in time for us to assure the public of the proportion of the supply allocated to New Jersey by your State Commission in accordance with the fair price to which they were led to believe coal would be secured through our co-operation with the authorities of Pennsylvania and the Federal Government?³⁵⁾

This helplessness of the Government to control the prices of coal except through an appeal to "conscience", while it was expending all its energies to break the ranks of the strikers, was country-wide. Apropos of this condition the *Farmer-Labor Record* of North Dakota reported:

35) New York Globe, October 6, 1922.

"According to J. H. Calderhead, Secretary of the State Board of Railroad Commissioners, who has just returned from a trip to Chicago, Cleveland, and Buffalo, the coal Operators of the Eastern and Middle-Western States are paying absolutely no attention to the Government's attempt to prevent profiteering on the price of coal.

"The Government fixed a price of from \$3.65 to \$4.80 per ton on the coal, depending on the location and quality, but the coal Operators are charging all the traffic will bear and the price of coal in Cleveland today is around \$11.25 per ton, three dollars higher than it was ever known to be in the city's history."³⁶⁾

After Harding promised Federal protection to strikebreakers in the mines, Hoover was appointed to "control" prices for the "public". How well Hoover acted in behalf of the employers is seen from the following in a letter sent by Senator Borah to the Coal Controller:

"I find, according to my investigation the following quotations on coal:

District	Market Quoted	1922	
		April 3	August 7
Smokeless mine run	Boston	\$4.65	\$9.50
Pool 11 (low volatile)	Philadelphia	1.90	8.25
Somerset mine run	Boston	2.00	7.50
Pool 54-64			
(gas and steam)	Philadelphia	1.60	8.25
West Virginia Screenings	Cincinnati	1.35	7.00
Pittsburgh No. 8 run	Cleveland	1.85	8.00
West Kentucky mine run	Louisville	1.90	8.00
Kansas Screenings	Kansas City	2.50	5.50

"COAL AGE" INDEX SPOT PRICES

April 3—\$1.71; June 8—\$2.55; August 7—\$5.11

Average Spot Price, April 3—\$2.06

Average Spot Price, August 7—\$6.18

36) Farmer-Labor State Record, Bismarck, North Dakota, October 19, 1922.

"In addition to that, I have a great number of letters from people in different parts of the country advising me that they had contracts for coal at from \$1.75 to \$2.15 and that the contracts were disregarded and their prices fixed at \$3.50 and up. . ."

We see then that the Government was not satisfied with breaking the miners' strike. It did not stop here. The Government went out of its way to oppress the other workingmen by giving the capitalists a free hand in raising the price of coal. And then—the Government yelled about the country being at the mercy of the United Mine Workers of America!

Negotiating an Armed Truce

Having succeeded in creating a coal shortage, in withdrawing an overwhelming number of hitherto unorganized miners from work, and in repelling the onslaught of the Government forces, the United Mine Workers forced the Operators into conference. As early as July 1 the Government saw that its calculations as to the outcome of the mine strike were a bit astray. Harding then called a conference attended by representatives of the miners and Operators. This Washington Conference broke up because the coal magnates insisted on District agreements. Then, Hoover, who was gaining a reputation in "fixing" the public as far as prices were concerned, came across with a plan for arbitration. A majority of the miners and Operators rejected this scheme. The miners were on to the arbitration game of their employers. The rank deal handed them by the Bituminous Commission in 1920 and the outrageous treatment accorded the shop-hands by the Railway Labor Board were still fresh in the memories of the striking miners. So strong was the resentment of the rank and file against such a traitorous surrender that not even their leaders dared perpetrate the crime. All of Harding's thunderbolts and denunciations and threats and violence did not

avail. The workers were adamant. The official stand of the union was thus summed up by the *United Mine Workers' Journal*:

"Arbitration as a means of settlement of a labor controversy robs the workers of the right to bargain for the sale of their own services. It takes from them all of the means which they now possess for their own protection against oppressive conditions on the part of their employers. . . It has been the bitter experience of the workers of this country that they get the worst of it when they agree to the arbitration of their wages or working conditions by outside agencies."

But in early August came the first break in the ranks of the Operators for peace. On August 15th, at Cleveland, Operators representing about 10 per cent of the tonnage signed up with the union. By Labor Day all the union bituminous miners were at work except several thousand men in the Kanawha Valley of West Virginia and those deserted by the leaders in Pennsylvania. Substantially the terms were as follows:

1. The old wage scale and working conditions shall prevail until March 31, 1923.
2. A representative, national conference of the entire bituminous industry shall meet in Cleveland, October 2, to set up a machinery for drawing up an agreement to take effect April 1, 1922.
3. This Conference shall elect a fact finding commission to investigate the industry.
4. This Committee is to report its findings to a national Conference to be held on January 3, 1923.

Though the settlement was not achieved thru the medium of one national conference, the various arrangements came with such rapidity that in effect it was national. The wage reduction campaign of the Operators and their attack on the check-off failed. The miners succeeded in repelling an on-

slaught on their wages and working conditions by offering heroic resistance thru five months of the most bitter struggle against overwhelming odds.

In the anthracite fields the struggle was prolonged for a few weeks. On September 3 an agreement was reached. This was ratified by the miners in conference at Wilkes-Barre, Pennsylvania, on September 9th. The miners retained the old wage scale, defeated the attempts to set up a machinery for spurious arbitration, set up an investigation Committee, and secured an agreement to continue the pre-strike wages and working conditions until August 31, 1923. The Operators failed in their attempt to cut wages by 21%.

That the miners saved themselves from a humiliating defeat when they threw back into Harding's face his plan for "arbitration" was later completely proven. In accordance with the provisions of the Borah-Winslow Coal Bill, Harding appointed a "Fact-Finding Commission". "Our" President rejected all ideas of partisanship in his appointments. He did not appoint a single representative of the miners on the Committee. In view of his mistreatment of the public when it came to fixing the price of coal, Harding decided to atone for his sins. He decided to let the "public" only be represented on this "fact-finding" committee. Let us acquaint ourselves a bit with some of these defenders of the public.

First comes John Hays Hammond, the chairman, a millionaire mining engineer. He is a close associate of the Guggenheim interests, the dictators of West Virginia. George Otis Smith, Chief of the United States Geological Survey, is a professional politician and a regular contributor to the "Coal Age", official organ of the National Coal Association, Chas. P. Neill, once U. S. Commissioner of Labor, is in the same class. Ex-Vice-President Marshall is a Democrat in good standing as a labor hater, Judge Samuel Alschuler of Chicago is the representative

of the public who complacently stood by while the Packers defied his Arbitration Board and slaughtered their workers. And last, to add a touch of "humanity" to the farce, Harding has included in his committee, Edward T. Devine, a professional charity worker who turns out "social service" for the Rockefeller interests.

The personnel of this committee should convince Harding at least, if nobody else, that it is folly "to recognize classes in America". We wonder. But we also know. And so does Wall Street. The plan followed by Harding in the choice of this Committee is exactly the one desired by the capitalists for arbitrating starvation wages into effect in the railway industry.

Significance of the Strike

The miners have scored a partial victory. Their strike was the most gigantic industrial strike in the history of America. The miners succeeded in repelling the capitalist offensive against their union. This has had an invigorating effect on the whole labor movement. The strike of the railway shopmen preventing the shipments of coal from the non-union areas, coupled with the magnificent solidarity and heroism of a large number of these former non-union miners themselves made the victory possible. Today, after months of severe struggle, the mine workers' union is much stronger not only in numbers but also in militancy. The miners have been baptized in the fires of the battle and they have emerged from the struggle an army that has been through it thick and thin and has poured hell into the enemy—into the very white of his eyes.

But the victory of the miners is not decisive. It is at best a truce. The victory is only an armed truce. The preparations for the coming struggle are already in the making—by both sides; that is the workers on the one side, and the Operators and

the Government on the other. The point of view of Mr. Watkins of the Pennsylvania Coal and Coke Corporation is typical.

"It can be clearly seen that the Cleveland Conference resulted in only a provisional agreement or armistice. . . . It leaves all the principles involved as to check-off, working conditions and future methods of making wage agreements in abeyance during the period in which the commission is making its inquiry and recommendations."³⁷⁾

The Conference between the miners and the bituminous Operators has ended in a deadlock. The Operators have flatly rejected the Central Competitive Field system and the January Conference will go into session without any basis of negotiation being arrived at. The employers are bent upon dividing the workers. They are bent on *district agreements*. To this demand the miners have turned a face of flint. They are presenting an adamant front.

The Bureaucratic Leaders Betray the Workers.

In paying our homage to the valiant fighters of the miners' union we should not omit to condemn roundly the treason of their bureaucratic leaders. The Cleveland agreement did not take into consideration the heroic strikers of the Fayette region of Pennsylvania. This agreement disregarded the interests of the brave miners of Connellsville, Westmoreland, and Somerset—all former non-union districts of Pennsylvania. It must be remembered that it was the unflinching spirit of revolt, the 100 per cent. strike of these unorganized miners who rallied to the call of the Union, that made it possible for the United Mine Workers to beat back the savage attack of the coal Barons.

37) Thomas H. Watkins, President Pennsylvania Coal & Coke Corporation in N. Y. Times Current History, November 1922, page 217.

This treachery is portrayed in a statement of the rank and file miners of Pennsylvania.

"Immediately after the Cleveland agreement, conferences were held in Pittsburgh for District No. 5, but not only did the District Executive Board ignore the coke field miners, but in at least one case signed a contract with the Hillman Coal and Coke Co. for only those mines near Pittsburgh and did not require to sign for their mines in Fayette County. While treachery of this kind is more or less familiar to all acquainted with the history of the United Mine Workers' settlement, yet in view of the tremendous services rendered the union by the Fayette County strikers, this was a particularly nasty betrayal.

"Not only was the Fayette region left out of the settlement, but they were even abandoned so far as the relief was concerned. After a six months' strike wholesale evictions with starvation, and death from exposure facing tens of thousands of helpless men, women and children, no definite action for relief has been taken nor has even a definite promise of action been given. . .

"Over 5000 evictions have occurred since June 1st in this district. Thousands are facing cold, foggy nights in flimsy tents with very little food and no winter clothing. Typhoid fever is raging in several of the camps, prospective mothers have not adequate shelter, and many miners' children are only escaping death thru being cared for in the homes of Pittsburgh workers. The situation is desperate. . .³⁸⁾

This is the reward of loyalty to the working class, to the bravest of the brave in the miners' war, when the reactionary leaders do the rewarding.

How differently these bureaucrats reward treason to the workers, treason to the striking miners. Let us return to the

38) Bulletin of the Publicity Committee of the Miners' Group, District 5, U. M. W. in Labor Herald, November 1922, page 8.

recent struggle for our testimony. When Farrington, President of District 12, spoke of separate agreements he was severely condemned by all the miners. Even Lewis condemned Farrington. But the latter at that time was a political opponent of Lewis. If this were not so, Lewis would very likely have done very much less talking. In Alabama there was a separate agreement and an appointee of Lewis did the trick as narrated in the *Labor Herald* by John Dorsey.

"It happened this way: A man who was once International President of the Union, John P. White, was put on the pay-roll at an outrageous salary, and sent to Alabama, one of the weakly organized districts. White was head of the Union at the outbreak of the war; he continued to draw his salary from the miners, while he went to Washington to serve the Government at \$1 a year. Then he got a good government job, and he was succeeded by Lewis as President of the U. M. W. of A. But in some way White lost out, so Lewis, for unknown reasons, put him on the job again for the union. White went to Alabama, signed up separate agreements which tied up the miners under an arbitration board whose decisions they were bound to accept, and then resigned the position of—head of the arbitration board."³⁹⁾

The whole settlement was a compromise in so far as settling the fundamental issues of the struggle. And from the point of view of the next struggle, the miners got the short end of the deal. Said Mr. Dorsey:

"Those of us who have battled for years in the United Mine Workers of America knew that an attempt was due for a compromise. Both the Operators and the officials of the Union had good reasons to come together. The Operators were licked. If the union had held out another month we could have dictated our own terms. And the officials wanted a compromise, be-

39) John Dorsey in the *Labor Herald*, October 1922, pages 19-20.

cause nominations for election of officers to the union were due—and they needed a platform to run for office on, the platform of ‘we saved your old wage scale for you’. When the miners heard of the Cleveland meeting called by Lewis, a group of old timers met in one of the Illinois towns and talked it over. We all agreed on an outline of what we thought would be done there. Our agreement fitted the actual outcome like a tailor-made suit. So there wasn’t much surprise, although much bitter feeling arises at the thought that this splendid battle has brought only a quarter-victory. . . .⁴⁰⁾

Unless unforeseen circumstances intervene the miners will pay the price for their Pyrrhic victory and the treachery of their leaders when their next test of strength comes.

We can rely on the President’s “public” investigation committee to recommend deflation under some name or other, but actually it will be the deflating of the workers’ wages. The excuse will be that the public must be protected against high prices of coal and that the industry—bituminous coal mining is over-capitalized to pay sufficient dividends. Therefore wages must be cut. This propaganda will be spread far and wide by the Operators and their Government and many workers will turn against the miners if they will resist a wage cut.

The Union is confronted with serious court suits of a most costly nature. The Coronado decision is yet to be paid for by the trade unions of America in general and the miners’ union in particular. The Herrin defense will also drain the miners’ treasury. The miners will thus financially be even weaker than they were on the eve of the last strike. But the capitalists, as has been shown, are now charging more for coal than ever before. They will be well prepared for the coming conflict.

40) *Ibid.*, Page 19.

Our Shipping Board took a hand in facilitating the importation of coal last summer. Experience is the best teacher—even for a Government strikebreaking agency. We can safely leave it to our Shipping Board, subsidy or no subsidy, to improve in this strikebreaking activity.

Finally, the anthracite miners are tied down by contract to work five months after a strike declaration by the bituminous workers. This will further make impossible a coal shortage. It will further paralyze the power of the strikers. The miners will be hard pressed in the next strike and it will be up to the rank and file to goad their leaders into a strong campaign of unionization to avoid disaster.

Anent this situation the *Labor Herald* well says:

“The one factor which can enable the bosses to cut wages next Spring is the unorganized districts. West Virginia, Tennessee, Alabama, Colorado, and other outlying fields, have been neglected by the union for political and other reasons. If Lewis would only send the ‘organizers’ who are idling around the hotels in districts already organized 100%, down into these unorganized fields with the word that they would be fired instantly unless they began to show results, the mines of the country would be organized completely before Spring.

“The trouble is that the administration deliberately keeps these districts partly unorganized so that they will be dependent upon the assistance of the national office. . . .”⁴¹⁾

Thus are the lives of hundreds of thousands of workers and their wives and children only pawns in the hands of unscrupulous bureaucrats—at the mercy of leaders who are pettier even than their petty purposes.

41) *Ibid.*, pages 20 and 32.

Conclusion.

The stone-wall defense of the miners, like the brilliant resistance of the textile workers checked the capitalist drive against the workers' unions. These two battles put new courage into the hearts of the workingmen. The employers have been compelled to withdraw to reform their lines. But the workers must be better prepared than ever for the new conflicts. They must take account of their past struggles. They must not forget the lessons of these two gigantic battles.

In the miners' strike, as in the textile strike, the workers fought against almost insurmountable obstacles. They not only had to face the highly organized offensive of their employers, but they also had to reckon with a leadership which refused to fight and which refused to pursue a victory to the complete end. Above all, the workingmen were confronted by a strike-breaking agency that had at its command soldiers armed with the most modern devices of fiendish destruction and a great number of robed tyrants sitting in courts and condemning the workers to jails and penal servitude—the *Government*.

CHAPTER V.

HERRIN—A LESSON IN AMERICAN CLASS WAR

“We, the jury, find that the deaths were due to the acts, direct and indirect, of the officials of the Southern Illinois Coal Company. We recommend that investigation be conducted for the purpose of fixing the blame upon the individuals responsible.”—From the Report of the Coroner’s Jury.

THE history of the struggles of the American working class is a history replete with incidents of heroic resistance to the brutal tyranny of the ruling class—the employing class. Many a page in the annals of the American labor movement has been written in blood—in the blood of the workingmen—written by the Government’s soldiers preserving the law and order of profits.

But American capitalists are notorious for their greed. They are not satisfied with merely having the military forces of their Government at their beck and call. Many corporations maintain their own private armies of depraved gunmen. West Virginia, Colorado, the Steel towns of Pennsylvania, and the coal fields of the same State afford a superabundance of ruthlessness with which these private armies rule the domains of Steel and Coal. In the very heyday of their power and in the very limit of their brutality the mercenaries of the feudal tyrants did not exceed their American successors of the Twentieth Century. Cabin Creek, Pine Creek, Nashua, and Ludlow are gory monuments to the lust of American capitalism.

The story of Herrin is a story of the revolt of striking miners against the privately armed gunmen, thugs, detectives. The echoes of Herrin resounding from the press and pulpit, from the legislature and the schoolroom, are frantic shrieks merging into an hysterical chorus for barbaric revenge—for merciless retribution. Strikebreakers have given their lives on the altar of profits. The workers must pay. They must pay in blood.

The Facts of the Case

In Williamson County, in the State of Illinois, between the towns of Marion and Herrin, there is a strip mine operated by the Southern Illinois Coal Company. In the midst of the coal strike this company entered into an agreement with the union permitting it to "strip" the earth from veins of coal which were close enough to the surface to be mined without difficulty. This permission was granted by the Union in order to facilitate the resumption of operations when the strike would be settled. Mr. Lester, President of the Southern Illinois Coal Co., promised that he would make no attempt to mine coal until the end of the strike. But early in June the agreement was violated by the Company, as told by Congressman Denison representing the Congressional district in which Herrin is located.

"As soon as the company had stripped the coal and removed the dirt and completed their other preliminary work they discharged the union labor and imported something like fifty non-union men from Chicago and began mining and marketing the coal contrary to their agreement with the miners. . . ."1)

On the tenth of June there arrived armed guards from the notorious strikebreaking concern of Chicago known as the Har-

1) Representative Denison in Congress, Quoted in "Labor", July 1, 1922, page 3.

graves Detective Agency. These mercenaries of the Coal Barons were under the command of C. K. McDowell, a gunman who had "seen service" on the battlefields of Colorado.

The testimony of the coroner's jury shows that despite this violation of the agreement by the operators, the strikers did not interfere with production. But the presence of the gunmen made the situation critical. According to the findings of Major Samuel N. Hunter, personal representative of Governor Small, who investigated the situation for the Governor, these thugs made themselves masters of the public highways and treated roughly anybody attempting to use the roads. Major Hunter seeing a large quantity of ammunition and guns stored inquired of McDowell about the need for the same. "This is being kept for ducks," said McDowell.

Then the State and County officials appealed to the Coal Company to withdraw the gunmen, for they felt that in a mining community which was 100% organized their presence and conduct would very likely create serious difficulties. To these appeals Superintendent McDowell replied: "I've broken other strikes and I will break this one."

On Wednesday, June 21, the miners sent a group to attempt to win over the strikebreakers. McDowell and the armed guards stopped them with a volley that killed Henderson and wounded Pitscavith who soon died. Of this, Major Hunter testifying before E. J. May, arbitrator of the State Industrial Commission, said:

"Mr. McDowell telephoned me the afternoon of June 21, the day before the riots and said they killed two or three union men. Personal investigation has developed that the men were shot down by McDowell."

This inflamed the striking miners. Two of their comrades, peaceful and unarmed, had been killed by the gunmen. They had been terrorized. They had been insulted and intimidated.

They had been deprived of the right to work for any but a starvation wage. The miners revolted. They were bent on settling matters. And they did.

Early next morning miners from all sections of the county flocked into the vicinity of Herrin. Congressman Denison thus described the scene:

“Early Thursday morning they marched to the strip mine and made an assault upon it. After a few rounds of gunfire the strikebreakers surrendered. They were marched to Herrin and Marion and deported.

“There is a great deal of confusion and unsupported statements as to what happened during the miners’ march. . . .”²⁾

But after the battle was over there were nineteen strikebreakers dead—a gory monument to the coal Operators’ mad lust for profits. The Coroner’s Jury investigated the case and found that the Coal Company was guilty. On it rested the whole responsibility for the explosion.

Then came lurid paintings of horror in the employers’ press thruout the country. “Revenge” was the battle cry of the capitalists. The number of killings were grossly exaggerated and rivers and woods were brought in to give the affair a wild touch. However, the real facts were well pointed out by a surviving strikebreaker:

“The people to shoot are the mine owners who lied to get us down here and make us do scab work. I tried to leave the mine when I found what I have been brought from Chicago for, but the guards wouldn’t let me go. The guards in the pit with us shot to death two union miners Wednesday before the union men surrounded us.”³⁾

2) Ibid, page 3.

3) Ibid, page 3.

But to the press and the Chambers of Commerce and the President the truth did not matter. The workers were guilty of a capital crime. In the eyes of the employers denying strikebreakers a "right to work" that is denying them a right to rob the workingmen of food for themselves and their families—is a crime punishable by imprisonment. But denying strikebreakers a right to live and shoot down peaceful and unarmed union men is a crime whose horrors defy description.

The Chorus of Revenge

On the day after the battle the employers of the country began a savage campaign of reckless vituperation. They clamored for merciless retribution. The very next morning the notorious Associated Employers of Indianapolis, one of the leaders in the open-shop drive of the capitalists, issued a statement urging the

"red blooded citizenship to wire and write Governor Small urging him to afford the fullest possible protection to life and property in the legitimate mining of coal, notwithstanding the miners' union. We strongly suggest also that you bring the entire situation before each society, club, lodge, organization and church to which you belong, and urge that they shall either act for their membership or have the individual members send similar telegrams and letters. *This is part of a national effort that is being made to condemn and forever stamp out disloyal propaganda and teachings that are primarily responsible for such horrifying and un-American outbreaks as that just experienced by the Southern Illinois Coal Company, merely because it was not operating a union mine.*"⁴⁾ (Our Italics).

Soon the labor-hating Illinois Chamber of Commerce took over the direction of this campaign. It organized a drive to raise \$25,000 to pay for the prosecution of the miners of Herrin. A

4) The Nation, October 11, 1922, page 358.

plan of energetic publicity was prepared and the propagandists went to work to "get" labor. In one of its bulletins this Chamber of Commerce made a special boast of preserving the good name of Illinois thru such practical slogans as:

"1. The punishment of the murderers in the Herrin massacre.

"2. A State police for Illinois. . . .

"3. Making Illinois the safest spot on earth in which to invest money."⁵⁾

A huge poster, bearing a map of the State of Illinois and a picture of John H. Camlin, President of the Chamber, was given wide circulation. The map bore the inscription "*What will you do to help remove this blot?*" Under this inscription there was a blot indicating the location of Williamson County. Beneath the picture of the map was a quotation from a declaration of President Camlin to the effect that

"The rest of the world is doing all the talking and passing all the resolutions necessary. We in Illinois must furnish the finances for the detection and prosecution of the Herrin murderers."⁶⁾

The "*Schrecklichkeit*" Campaign took on gigantic proportions as pictured by the Illinois Chamber of Commerce.

"Not since America entered the World War has the press of the country been so outspoken and unanimous in its support of any undertaking as it has in the case of the Illinois Chamber of Commerce campaign to raise funds to remove the blot of the Herrin massacre. From President Harding's own paper, the *Marion Star*, to the big metropolitan dailies and the country weeklies in the most sparsely populated States, every editor in the

5) Progress Report, Illinois Chamber of Commerce, Vol. III, Report No. 11, Sept. 1, 1922.

6) Ibid.

land, apparently, has expressed his opinion, and without even one single exception these opinions of editors in other states have been congratulatory."⁷⁾

Of course, President Harding was not to be left out in the cold when it came to punishing workers in the name of the "law and order" of dividends. On August 19, John H. Camlin sent a telegram to Harding in which he said:

"The Illinois Chamber of Commerce is raising a fund for investigation and prosecution and will make certain that every effort humanly possible is put forth to remove this blot from our State. Our Attorney General has volunteered to do all in his power to bring the guilty to justice provided sufficient funds are furnished him for the undertaking. We propose to furnish him with the necessary funds. *The business men of Illinois are confident that in this undertaking they have your sympathy and commendation.* . . ."⁸⁾ (Our Italics).

Warren Gamaliel Harding made haste to reply. In his telegram of August 22 to "My Dear Mr. Camlin" he declared:

"I have your telegram of August 19 and note with genuine interest the activities of your association to see that justice is done in Williamson County. I was not aware of the activities which are under way to re-establish Justice in that community. I had only the public view of a horrible crime which has thus far been ignored.

"It is a gratifying thing to know that there is a determination that justice shall be done. It was extremely necessary to refer to the affair in my address to the Congress, because the general public did not seem to know that the Federal Government was powerless to act in

7) The Illinois Journal of Commerce, October 1922, page 12.

8) Progress Report No. 11, Illinois Chamber of Commerce, September 1, 1922.

that matter and it was unbearable to have a widespread impression that the Federal Government was willing or purposely ignoring that inexcusable crime.

"There is of course a conscience in Illinois which will not tolerate such a disgraceful thing. It will be very pleasing to me and reassuring to the whole country to know that this conscience is finding expression.

"Very truly yours,

"Warren G. Harding,

(Our Italics)

"President."9)

And in his message of August 18th Harding went to the limit of denunciation and hatred when he said:

"In that butchery of human beings, wrought in madness it is alleged that two aliens were murdered. This act adds to the outraged sense of American justice the humiliation which lies in the Federal Government's confessed lack of authority to punish that unutterable crime. Had it happened in any other country, we would have pitied the civilization that allowed it. Justice has failed in Illinois and there will always be a blot on the national shield because of Herrin."

Yes. Harding appeals here to the same "conscience" that he appealed to when the mine owners were fleecing his beloved public. It is the conscience of the exploiter crushing the workman struggling for bread and shelter. But most pathetic of all is the eloquent plea for the two poor aliens who were misled into being strikebreakers and who paid the penalty for robbing the miners of a chance to live and for being in the company of hired assassins. While our President was thus shrieking for blood of strikers in order to atone to his Lord Mammon for the sin of strikers having been able to defend themselves, hundreds of aliens were being hounded and clubbed in many sections of

9) Ibid.

the strike zones. They were not strikebreakers. They were honest workmen. Worst of all, they were strikers.

The Indictments

The campaign of frightfulness soon bore fruit. The President had reason to be gratified from the following results boasted of by the Illinois Chamber of Commerce:

"Within six weeks after the Illinois Chamber of Commerce started its drive for funds to finance the investigation of the Herrin massacre, a grand jury had been chosen and completed its work.....The indictments returned were:¹⁰⁾

Murder	44
Conspiracy to commit murder.....	58
Assault to murder.....	54
Conspiracy and revolt	58

Total.....214 "

No one was indicted for the death of the union men. That was not counted as part of "the butchery" so vigorously condemned by the nation's Chief Executive. And why? The Illinois Chamber of Commerce runs to our rescue with an answer:

"No non-union man was indicted. The reason, as outlined by the Grand Jury in its exhaustive report, was that attorneys and officials of the mine unions declined to co-operate with the forces of law and order in any way and refused to produce witnesses to substantiate their charges."¹¹⁾

Apparently the Grand Jury was exhausted before it completed its exhaustive report. They could not find evidence to

10) Progress Report No. 12, Vol. III, Illinois Chamber of Commerce, October 13, 1922.

11) The Illinois Journal of Commerce, October 1922, page 13.

learn that two union miners had been murdered in cold blood by the gunmen of the Coal Company. Evidently Justice is blind—when it is controlled by the employing class on behalf of the workingmen.

And this despite the admissions made even by the Special Grand Jury which said in its report:

"The Coal Company aggravated this resentment by employing armed guards and closing the public established highways traversing the mine property and treating as trespassers citizens attempting to use the accustomed highway.

"The flaunting of arms in a community devoted almost exclusively to mining was conducive to strife. It was a challenge certain to be accepted, and for four or five days preceding the tragedy it was known by the authorities that a conflict was inevitable. . . .¹²⁾ (Our Italics).

However, not a single indictment could be found against any one for murdering the two union men one day before the general attack and thus bringing on the whole affair. On the whole the report emulated the lurid 38 page pamphlet "The Herrin Conspiracy," issued by the National Coal Association.

In the meanwhile the Regular Grand Jury has condemned the criticism of the local authorities made by the Special Grand Jury and has congratulated the union for providing "food and comforts for their members now in jail."¹³⁾

The last election has also afforded a test of sentiment in the community directly involved. According to a despatch to *Labor*:

"Sheriff Melvin Thaxton who was charged with being on the side of the union miners, was elected

12) Law and Labor, October 1922, page 281.

13) New York Times, October 3, 1922.

county treasurer on November 7 as a Republican *by a majority twice as large as he received in the Harding landslide two years ago*. The newly-elected Sheriff, George Galligan, has two relatives who were under indictment for complicity in the riot."¹⁴)

A Challenge to Unionism

That this trial has more significance than even the acute gravity of the situation would indicate is seen by the nationwide campaign for revenge waged by the employers. The union men know it and they are determined that the miners on trial shall not fall a prey to the vengeance of the capitalists.

Likewise, the Illinois Farmer-Labor Party at its last convention in October, 1922, has adopted the following resolution to rally the workers:

"Whereas, the Illinois Chamber of Commerce, aided and abetted by the Illinois Manufacturers' Association, in their relentless 'open' shop campaign to crush organized labor, have usurped the powers of the State Government by subsidizing the Attorney General of the State of Illinois and making him their willing tool in the prosecution of the miners at Herrin, and

"Whereas, the miners of Herrin, driven by savage oppression and the cold-blooded murder of their brothers by hired gunmen—the scum of Chicago slums—to defend themselves, their homes and their women and their children by whatever means came to hand, did not cause one-hundredth part of the death, maiming and misery from preventable causes that has been deliberately visited upon the miners of Illinois by the Illinois Manufacturers' Association controlling the Legislature and preventing passage of legislation to protect the lives and limbs of workers; and

"Whereas, if proof were not already abundant that the only recourse open to the citizens of Herrin was

14) Labor, November 18, 1922.

to defend themselves, it is afforded by the fact that while scores of miners have been indicted, not the slightest effort has been made to discover among the imported thugs and gunmen, the murderers of the miners, the killing of whom was a climax of a reign of terror such as would cause any red-blooded American citizen to revolt; now therefore, be it

“Resolved, that we condemn the persecution of the Herrin miners and brand it as a phase of the bitter warfare of the Big Business interests of this State. . .”

Furthermore, writing under the date of September 2 in the *Chicago Tribune*, the mouthpiece of the Attorney General Brundage in the political fight against the Governor, Philip Kinsley said:

“As the situation is developing, the murder charge will be lost sight of in the trial of the rioters, *and the cause of the open shop versus union labor will be the central issue.*” (Our Italics).

But the brazenness of the class character of the persecution is most forcefully exposed in the statement of A. W. Kerr, Chief Counsel for the defendants:

“We charge and charge deliberately that the report of the Grand Jury made in connection with the indictments returned bears all the earmarks of having been drafted in advance by the Attorney General at 10 South La Salle Street, Chicago, the Chicago address of the Illinois Chamber of Commerce. It runs true to form of the published emissions of that organized labor-bating organization. . .

“In all this campaign in the public print not a single tear has been shed by the Chamber of Commerce or by the Attorney General, who has been financed by that organization, over the death of the union miners involved. The only concern expressed by the Chamber of Commerce has been in the death of men who gave their addresses as the various flop houses in the city

of Chicago. The only men indicted thru the agency of the Chamber of Commerce have been men of family and good repute in the county of Williamson.

"No fault may be found with the prosecution of citizens for crime. The prosecution should not be financed or the prosecution pursued by organizations highly antagonistic to those charged with the offense. Such a course stamps the prosecution as one of private persecution. . . .

"The Chamber of Commerce of Illinois and the Attorney General of this State, particularly during his term in office, have known of so many so-called massacres in different parts of the State; but, strange as it may seem, and will seem, to citizens who become advised of the facts *it is only when those so-called massacres have a capital and labor angle that the employing interests and the present Attorney General become aroused to a frenzy.*

"That is true of the so-called East St. Louis riot case. The Attorney General was there financed by the employing interests. That also had labor angles as well. *In the so-called Herrin matter the Attorney General is openly financed by the Illinois Chamber of Commerce, an organization whose only record is that of an effort to destroy organized labor; to break the morale of those organizations; to take little children out of school before their time; to give less food to the wives and children of the workers of Illinois, and in this last instance we find the Attorney General, as usual, lending his frenzied aid to this employer-financed prosecution.*

"*There is no other riot or massacre so called in the State where the Chamber of Commerce or the Attorney General evinced any concern.* His desire for vengeance upon the union miners in this case has driven him to the point where he is no longer a prosecutor but where he is a special representative of those organizations who would break up the miners' union and organized labor.

"We do not propose to sit in silence and let some of the best and most innocent men of Williamson County

receive unmerited punishment by any verdict obtained thru the machinations of the Chamber of Commerce or of the Attorney General, as its special representative." (Our italics).

Brutal Class Justice

Why all this frenzy? Why are the employers so anxious to get "Justice" in this case? Why this fervid, though sudden, interest in human life? The answer is simple. We are concerned with the lives of strikebreakers. It is not a question of protecting workers. The lives of strikers are not talked about. What is more, we are dealing here with the strikebreakers and capitalist gunmen engaged in defending the right of the employers to exploit the workers ruthlessly. We are dealing here with a challenge to the system of private armies. In this case we have another form of treason to the capitalist class. Hence the open alliance between the Attorney General and the Chamber of Commerce. Hence the yell for revenge from President Harding down.

When gunmen slaughter workers there is no protest. Then the sanctity of human life mysteriously vanishes. At Ludlow the fire of the machine guns operated by gunmen under the leadership of the infamous Pat Hamrock murdered women and children of striking miners. And where is Pat Hamrock the assassin of the workers today? Free! Free to continue his slaughtering of the workers. Of course then it is in the name of Law and Order, unless Pat Hamrock wants to say "law or no law", as he did when he drove Foster out of Colorado.

At Calumet, at McKees Rocks, at Pine Creek, at Nashua and in West Virginia scores of workers have been butchered to guard the profits of the employers. Did the Chamber of Commerce protest then? Did any President condemn the murderers in special messages to Congress? Was life in danger then? No, private property was in danger—so said the capitalists and their

lawmakers. And the workers had to pay with their lives. But why go back to the struggles of yesterday? Here is a case in another area of the same miners' strike. Who paid the price here? Who is paying it now? Why all the silence about this massacre and the storm about Herrin? The facts of the case answer these questions, as shown by the local Miners' Defense Committee:

"When the coal strike was started on April 1, the Richland Coal mines at Cliftonville were organized and went on strike. Shortly after the strike started the company commenced operations and evicted the miners from their homes on the mining property. The miners started a tent colony a short distance from the mine. Armed guards were brought into and stationed around the property and they had many disputes with the miners in the tent colony. Attempts were made to break up the colony, but the miners stuck. . . .

"Some say as many as a 1000 were in the Cliftonville March, others put the figures at less than 600. All the accounts of the march indicated that the men in the procession had assumed a mixed conduct of festivity and seriousness. It is almost an established custom amongst the foreign element of the miners in the eastern field to march or parade on the slightest provocation. In times of strike they march from town to town. In times of peace, various holidays are the signal for hundreds to turn out. Marching to the coal miners is both a recreation from their dreary toil in the mines and a stimulant to solidarity when a strike is on. And these marches are always marshalled by good humor. Thus it is that the march of the Cliftonville mine was rather a parade in which the miners from the strongly organized district of Avella, Pennsylvania, sought to express their sympathy and solidarity with the evicted miners of Cliftonville. . . .

"The march of the miners was heralded in advance and long before their objective was reached the

heavily armed guards had assembled plentifully supplied with gas bombs. . . .

"The guards opened the fight at the first sight of the miners, but before they were aware of it, the tippie had been stormed by mere weight of numbers. Miners climbed to the top with a flag and were buried in the debris of a terrific explosion. They had walked into a deadly trap. The tippie was destroyed by guards and not the miners.

"Only one — Sheriff Duvall — of those guarding the mine was killed. Six is the official toll of the losses on the side of the miners. But this count is open to suspicion. . . .

"Sheriff Duvall, who was killed, was at the time of his death under a charge of malfeasance in office. This charge covers a multitude of sins preferred against the said Duvall—ranging from protection of bootleggers to extorting money from any other outlawed occupations. Duvall, it is said, was opposed to the union miners and deputized all the gunmen at the mines. That no one will be prosecuted for the death of the six miners (officially listed) goes without saying.

"At the present time there are about 160 men held in connection with the Cliftonville trouble and 60 in addition to these are named in indictments but not yet apprehended . . . *Sixty of the 220 indicted are charged with murder.* The others are charged with various offenses ranging from second degree murder to rioting.

"John Kaminski, 19 year old Russian boy, the first of the 220 union miners indicted in various degrees for the Cliftonville battle of July 17th, is on trial for his life at Wellsburg, West Virginia. A change of venue to another county has been denied although the strong prejudice against the defendants is so obvious that it is a public byword. Besides this prejudice there exists a fear by anyone who might sympathize with the indicted men to express their opinion publicly."¹⁵⁾

15) Bulletin of the Miners' Defense Committee, Sub. Dist. 5 of Dist. 6, October 27, 1922.

Now, who will organize to remove this blot from our national escutcheon? Who will begin a campaign to secure a proper defense for the hundreds of miners?

The case of Cliftonville teaches many a lesson when compared with Herrin. Here was an industrial battle of first magnitude. In this case, unlike the case of Herrin, the local public opinion, whatever of it that is permitted to exist, is all against the workers. We wonder whether Daugherty will send his agents into Cliftonville to see to it that life is properly protected. Let no one look forward to disappointments. Daugherty will do nothing of the kind in this case. Here the lives of strikers and not strikebreakers are concerned. Daugherty sees no danger here!

In Cliftonville, unlike Herrin, the loss in killed was overwhelmingly on the side of the union. The miners believe that bodies of strikers were carted away to hide the magnitude of the loss. The very proportion of the losses and the manner in which the miners met death indicates positively that the strikers were trapped and led to their death by the gunmen.

Only in the sense that the gunmen were here also responsible for the loss of life is Cliftonville similar to Herrin. In every other way the tables are turned on the strikers with the strikers being at the very bottom and getting the worst of it.

Will any Chamber of Commerce initiate a drive to punish the guilty? And what will the Government do? The answer of the Government has already been given. A strikebreaker has lost his life. The workers must pay for it, despite the fact that they have already paid dearly in the loss of life at the mine. The answer of the Government is jail and the gallows for hundreds of strikers. Not a single gunman will be punished for the massacre of the peaceful union men. The answer of the Government is the answer of a strikebreaking agency drunk with power. Death to the union men and freedom for the gunmen

that is the answer of the Government in the massacre of Cliftonville!

The Government's plea for the sacredness of life holds good when the loss of life can be translated into a loss of profits. Despite the fact that official investigation has shown that the Operators are responsible for the loss of the lives of scores of miners in the Argonaut (California) and Spangler (Pennsylvania) disasters, the champions of the sacredness of human life who have howled so much for the death of the union miners of Herrin who have dared to defend their lives against capitalist gunmen, have not taken a single step to visit justice on the guilty mine owners for the deaths.

And talking about blots on the shield of the State of Illinois, we might remind ourselves of the Virden massacre. On October 12, 1898, gunmen employed by the Chicago-Virden coal company shot down union miners during a strike. The company built a stockade around its property and put sixty gunmen in charge of it. The agents of the Operators lured one hundred and fifty workers into the stockade after assuring them that there was no labor trouble at hand. But trouble did follow. The gunmen armed with Winchester rifles opened fire on the strikers and killed twelve and wounded from thirty to forty. These mercenaries had committed so high-handed a crime that John R. Turner who was then Governor of Illinois publicly denounced them. He said:

"I therefore, charge the owners and managers of this company as being lawbreakers and morally and criminally responsible for the bloodshed and disgrace to our State, and I further charge every man in their employ, as detective or guard in the stockade, or on the train, who participated in this fiendish outrage, as guilty of murder."

Yet the Illinois Chamber of Commerce holds that Herrin is a blot on the State of Illinois and the first blot at that. Virden is only one of the many real blots on the State of Illinois put there by the employing class.

Conclusion.

At Herrin the working class of America challenged the system of private armies employed by the capitalist class in America. And they challenged this system effectively if the number of gunmen who paid with their lives is a criterion. The frenzied and wrathful onslaught of the capitalists in the wake of this battle proves this conclusively.

But it is the aftermath of Herrin that has many a lesson in store for the American workingmen.

First of all, the workers have learned that the capitalists will resort to any methods; they will move heaven and earth to maintain their labor-crushing armies.

Secondly, the Government itself will put at the disposal of the employers all its military and judiciary powers—all its powers of State to aid the capitalists in the perpetuation of this system of mercenaries.

Finally, the workers of America, in preparing to rid themselves of this infamous system of strikebreakers, must not be misled by all the frantic howling about the sacredness of life on the part of the servants of the employing class. To the employing class life is sacred when it enhances profits. When life does not enhance profits it is worthless. And Herrin proves this beyond a doubt.

CHAPTER VI.

THE RAILWAY SHOP CRAFTS FALL IN LINE

"Michigan, Hell! We are out to bust the unions—all we ask, is to be let alone. . ."—From the reply of President Mapother of the Louisville and Nashville Railroad to the entreaties of Governor Groesbeck of Michigan for coal cars.

AMERICA possesses the greatest railway system in the world. Our railway mileage is 264,373 or 35% of the world's total railway mileage and over five times the size of the railways of Russia which has the next largest system.

The history of the American railways is a history of corruption and tyranny on one side and thrilling struggle on the other. The records of the railway corporations reek with graft, with outright ownership of legislatures, and with wholesale robberies involving loot, in land alone, larger than many countries. The annals of the railway workers abound in the most inspiring battles against unutterable exploitation and oppression. Finally, in the class conflicts of no other industry has the Government so steadily and so generously thrown in all of its resources against the workers.

Over 400,000 men were involved in the last strike of the railway shop hands. This was the first national railway strike in America. Like the textile and the mine strikes it was a strike to resist wage reductions and union-smashing. The attack of the railroad capitalists, like the assault of the textile and coal barons, was part of the general offensive, the nation-wide open-

shop drive, of the employing class to force starvation wages and degrading conditions on the working class.

The national shop crafts' strike of 1922, its bitterness, the arrogance of the employers, the ruthlessness and magnitude of the Government suppression and the militancy of the workers—cannot be properly estimated without an insight into some of the history of the American railroads.

Some Railroad History

Arthur E. Holder, author of a "History of Railroad Strikes Since 1877" gives us the following picture of railroad development:

"It is still related that during a lull of the general assembly of that State, an honest, but very unsophisticated member of the assembly from one of the Dutch counties, arose to his feet and brawled, 'Well, Mr. Speaker, if Tom Scott, President of the Pennsylvania Railroad, don't want anything more from this 'ere Legislature, I move you, Sir, that we do now adjourn'."¹⁾

This is the way the American railroads have been developed according to Fremont Older:

"The entire State of California was politically controlled by the Southern Pacific Railroad Company. In order to thoroughly dominate the State, it not only controlled the Legislature, the courts, the municipal Government, which included Coroners, sheriffs, boards of supervisors, in fact all State and County officials, but it also had complete control of the newspapers of the State as was possible, and thru them it controlled public opinion."²⁾

1) Locomotive Engineers' Journal, September 1922, page 662.

2) Fremont Older, quoted by F. J. Dunleavy in "The History of American Railroads." Page 6.

The demigods of early railroad finance, "the builders of the continent," were past masters in the capitalist art of organizing a dictatorship over the masses and making the worker pay for the very maintenance of this rule by the employing class. They set an example for the Lorees, Mapothers and DeWitt Cuylers to emulate.

These "builders of the continent" were presented by the Government with huge areas of land which today, capitalized as a part of the railroad property, serve as a further means of robbing the workers thru billions of dollars in interest and dividend payments. The extent to which the Government gave away land to the western railway corporations can be seen from the following facts. The free land gifts, thru Federal and Texas grants, totalled 312,000 square miles. This is an area in excess of the six New England States, the five North Atlantic States, the three South Atlantic States, and the District of Columbia. The land given away to the railroad capitalists is 137,000 square miles more than the area of Turkey, 50,000 square miles more than the area of the whole Japanese Empire, 192,000 square miles more than the area of Italy, and 100,000 square miles in excess of the area of Germany or France before the war.³⁾

These large empires of land are today part of the investment of the railway corporations, investment on which the American workers have to pay in low wages, intolerable working conditions, huge dividends, and exorbitant interest rates. Under capitalism, dividends must continue at all costs—to the working masses. How this condition is maintained is well shown by the following analysis of Frank Julian Warne, the noted railway expert:

3) Railroad Revenues and Expenses, Hearing Before the Committee on Interstate Commerce, United States Senate, 67th Congress, Pursuant to Senate Resolution 23, Volume III, pages 1436-1437.

"Practices and methods of the railroads in book-value creation are so numerous as to prevent even their enumeration here. Merely by bookkeeping entries millions of dollars of value are solemnly recorded by the scratches of the pen as real values. Simply by transferring on books a record of fictitious ownership of securities as between subsidiary companies of the same holding company, as in the case of the New Haven system, millions upon millions of dollars of imaginary value come into existence. Thru committees of valuation, by the employment of so-called valuation experts, and by the manipulation of securities by financial and investment houses still other values, running into the hundreds and thousands of millions, are created over night, and upon these the American people are asked to pay not imaginary tribute but the hard-earned coin of the realm."⁴⁾

Thru these methods of highly skilled thievery, the railroads have plundered the Government treasury, and increased their values. And now the railway magnates are demanding that the workingmen tolerate repeated wage reductions to guarantee fabulous profits on such investments!

These railroads have also padded their expenses in order to conceal their real profits and have a further justification for wage cuts, as Mr. Warne has shown:

"The average increase in total maintenance from 1915 to 1917, the two years immediately preceding Federal control, was \$118,000,000. From 1917 to 1919, two years of Federal operation, this increase was \$435,300,00. In the single year 1920, during six months of which the roads were under private operation but with the Government guarantee, the increase over the very large increase for 1919 exceeded \$627,000,000."⁵⁾

4) Ibid, page 1449.

5) Ibid, page 1091.

The railroad companies also own numerous supply houses, coal mines, and are in a closely knit form of interlocking directorates. In effect this means that the railway companies buy many supplies from companies which they themselves own, pay handsome prices for these and thus raise the expenses of railway operation. They also slash the wages in hundreds of these subsidiaries and then appear before the Government boards pointing out that the wage level outside the railway industry is lower and therefore should also be cut on the railways.

As Mr. Warne has clearly pointed out:

“There are innumerable cases in which railway directors and other officials of the transportation company also occupy directorates in supply companies or are otherwise interested, usually as bondholders or stockholders. Briefly, *this relation is one in which the practical effect is of an individual buying from and selling to himself. Cases could be quoted from official reports showing the effects of the finances of the Railway Company of this dual relation.*”⁶⁾ (Our Italics).

Even to attempt to portray an adequate picture of the gigantic lootings, the enormous frauds, the manipulations, the watered-stock deals of the railroads complaining of their poverty and shrieking for lower wages, would fill volumes.

The railroad corporations are gourmands even in the capitalist world of plunder. They have always had to have their pound of flesh—and more! When the country entered the European War the reckless inefficiency of the railroads compelled the government to take them over—but only at an exorbitant rental of \$906,000,000 a year. The railroads did not stop here according to Mr. Warne. He found that:

“Expenses simply ran riot without check and seemingly with the purpose, as many have charged, of dis-

6) Ibid, page 1268.

crediting for the future any form of Government control or ownership of the railroads of the country. . . .⁷⁾

With the armistice came the return of the railroads to private hands. The railway corporations then succeeded in putting over the Esch-Cummins Act. This was one of the greatest acts of plunder in a history replete with reckless robberies. Speaking on this act of 1920, Congressman Huddleston said:

"So far as I know it is not claimed by anyone that the Transportation Act originated in Congress. Its real origin was in banks, railroad lawyers and other lobbyists. . . .

"By the Transportation Act, the Treasury was opened to the railroads. Under Section 202, \$200,000,000 was appropriated to pay their claims. Under Section 209, the guarantee section, \$631,000,000 of government gifts to the railroads are already in sight, and the amount will probably reach \$800,000,000. Under Section 210, public funds to the amount of \$300,000,000 were placed at the disposition of the railroads as loans. These vast sums must come out of the public funds, out of the taxpayers' money. To them must be added the provision of the act upon which the rates were increased so as to yield 6 per cent. upon railroad stock, water, fraudulent capitalization, and all, aggregating \$18,900,000,000, whereas it was recently computed, that the value of all stocks, bonds, and other railroad securities, including complete ownership, aggregated only \$8,000,000,000. Under the increase of rates made in the fall of 1920 it was estimated that over \$1,500,000,000 would be taken directly from the pockets of the consumers and that this amount would in the end increase the cost of living and doing business, \$6,000,000,000 annually."

7) Railroad Revenues and Expenses, U. S. Senate, 67th Congress, Vol III, page 1124.

The extent to which the railroads exploited the workers defies description. Not even the Esch-Cummins Billion Dollar Bonus could satiate their greed for profits. In violation of this act, they resort to the notorious procedure known as "farming out" of repair work. In this way the railroads were able to inflate the cost of operation, for these dummy repair contractors charged exceedingly high prices. What is more, the railroads were thus enabled to deprive the union men of work, lay them off and thus undermine the union strength. In one case the Erie Railroad farmed out its repair work to a Jersey City manure dealer.

From findings of the Interstate Commerce Commission, Mr. Warne, has exposed the huge fraud of this game.

"It is known that the average total cost of repairs at all shops of the Pennsylvania Railroad (excluding cost of additions and betterments) was \$7,415, and at the Baldwin shop \$22,060, the average increase in cost being stated as \$13,924. The total increased cost on 71 locomotives of this Lls type receiving class 3 repairs at Baldwin's is stated as \$988,582. . . . The cost of these additions and betterments amounted to \$13,003 out of the total cost of \$4,622,085, giving the net total cost of repairs as \$4,609,082 and an average cost of repairs of the 200 Pennsylvania locomotives in the Baldwin shops of \$23,045.

"Out of approximately 175 large railroad companies at least 44 made contracts with "outside" shops during the six months of private operation under the Government guarantee for the repair of equipment."⁸⁾

Thru interlocking directorates, stock ownership and sundry other devices the railroads were thus paying themselves more profits in a round about way. This is still continued, despite

8) Ibid, page 1224.

the fact that even the Railroad Labor Board has been forced to admit that this procedure is illegal and to condemn it.

On March 31, 1922, the Interstate Commerce Commission found that the Pennsylvania and New York Central Railroads were letting out repair work and paying more than double for it. The Commission declared that:

"From the returns of 108 of the locomotives sent to the contract shops for repair, costs were found to range in averages of \$20,189.21 at the American shops; \$25,277.58 at the Baldwin; \$17,072.58 at Lima and \$20,631.38 at Rome, with a general average of \$21,912.33, including freight charges on the locomotives, such material as respondents furnished, and respondents' inspection. . . . The corresponding cost of similar repairs on 329 locomotives in respondent's shops is computed to have averaged \$5,927.45, or \$15,984.88 less than the general average contract cost."

The poor railroads were able and glad to pay from three to four times the cost of repair as long as they could disrupt the union.

The Railroad Labor Board Steps in

In this campaign of exploiting the working class the railroads received the tacit and active support of the Government. The Railroad Labor Board, established in accordance with the provisions of the Esch-Cummins Act, hastened to aid the railroad capitalists with timely wage-cuts and by repeatedly robbing the workers of their hard-won working conditions. This was done as soon as the war readjustment period was over.

Under the leadership of the New York Central, on March 19, 1921, the railroads petitioned the Railroad Labor Board for wage decreases. This appeal did not fall on deaf ears, as the U. S. Bureau of Labor Statistics said:

"The Board granted decreases in wages, asserting that business conditions had changed; that there had been a decrease in the cost of living; and that wages for similar work in other fields had decreased. The reductions ranged from 7 to 18 per cent. averaging approximately 12 per cent, and are estimated to save the roads approximately \$400,000,000 annually."⁹⁾

During the war, because of the inestimable importance of railroad labor and of the great danger which a railway strike would be to all industry, the workers made many gains. They won improved working conditions and compelled the Government to increase their wages which had been widely admitted to be below the minimum level. With the first approach of depression, the Association of Railway Executives demanded that the Railroad Labor Board abolish the National Agreement, a unified set of working conditions won by the workers in the war period. The railway unions protested that this would not only rob the workers of the gains they had previously made but it would also "expose the local organizations on the several carriers to the entire power and weight of all the carriers acting thru the Association of Railway Executives on the conferring carrier." They protested against such a "disparity of force." But that was just what the capitalists wanted and that was just what they got. On April 14, 1921, the Railroad Labor Board rendered Decision No. 119, abolishing the National Agreements.

Decision No. 222 followed in quick order on August 11, 1921. This robbed the workers of many more conditions of work that they had won thru bitter struggle. Mr. A. O. Wharton, representing labor on the Board found the decision so unjust to the workers that he filed a dissenting opinion—the first one made public. He said:

9) Bulletin of the U. S. Bureau of Labor Statistics, No. 303, page 90.

"It does not appear either just or reasonable that conditions which have been in effect from ten to twenty years and even longer, established as a result of negotiations and mutual agreement between employers and employees, and not infrequently established where no organization of employees existed, can now be decided as unjust and unreasonable."¹⁰⁾

Here the Government, thru its agency, the Railway Labor Board, went out of its way not only to deprive the workers out of conditions they won in years of struggle, but even to rob the workers of conditions voluntarily granted to the workers by the capitalists to avoid strikes.

The wage-cutting and union-smashing went on apace. On February 12th, Lincoln's Birthday, the Railway Board presented the capitalists with a bonus of \$300,000 by putting the signalmen on a 10-hour day basis and dropping time and a half pay for Sunday work. On February 22nd, Washington's Birthday, the Board continued its Americanization process by eliminating extra wages for the Stationary Firemen and Oilers until after the tenth hour.

All the railway unions except the Brotherhoods and the Switchmen's Union have had two reductions from the peak of railway wages. This procedure was followed for two reasons. First, to keep the workers divided and secondly to avoid a contest with those workers who stood the best chance of winning a conflict with the rail magnates. And now, the Railroad Labor Board is considering the reduction of the wages of these workers. Postponed punishment is the best reward for division in the ranks of labor in the eyes of the Government.

In 1922 came the wage slashes which caused the workers to revolt. In Decision No. 1028, May 24, involving the Maintenance of Way Employees, the Railroad Board ordered wages

10) Ibid, page 95.

to be paid at a rate varying from 23 to 35 cents an hour, making the average 32.7 cents an hour. Assuming the most improbable condition, that is full time employment, this meant a wage of \$15.62 per week. Those workers receiving the minimum pay would then be getting \$11.04 per week or \$574.08 a year on the assumption of full time work.

Decision Number 1036 rendered on June 5, 1922 cut the wages of the shopmen to the bone. Decision Number 1074, rendered June 10th, took the same gentle care of the freight handlers, railway clerks, signalmen, express and station employees, etc.

That these decisions meant a terrific loss to the workers is seen from the following table prepared by the Railway Employees Department of the American Federation of Labor:

“What the United States Railroad Board has done to the various classes of employees since it began to function in 1920 is told in reduced earnings caused by decisions 147, 222, 501, 707, 725, 1028, 1036, and 1074 as compiled by the Railway Employees Department. Any schoolboy can figure what this means in shorter food rations, less clothing and poorer housing. Here is what has been taken away annually from the workers in wages alone:¹¹⁾

“Shop Crafts	\$371,817,996
Maintenance of Way Employees	315,803,835
Clerks & Freight Handlers.....	146,699,147
Signalmen	10,373,168
Stationary Firemen and Oilers..	2,145,235
Other Railway Employees.....	96,352,490

Total Wage Loss\$943,191,871”

Exclusive of the loss in being deprived of working conditions this meant that the Government took away almost a billion

11) Labor—July 29, 1922.

dollars from the already underpaid workers and handed it over to the already fabulously wealthy railroad capitalists. And yet some labor leaders fervently, to be very respectful, propagandize their union members that we have a democratic government. But the actions of this employing class government speak louder than even the fraudulent words of the labor union bureaucracy!

The Shop Crafts Revolt

These decisions completely unmasked the Railroad Labor Board as a strikebreaking agency. In a spirited statement the Brotherhood of Locomotive Engineers said:

"The Board has maintained an outward appearance of unity for more than a year, largely because the Labor representatives have not protested the repeated violations of its decisions by the carriers....

*"The employees feel that the representatives of the 'public' appointed to the Board by President Harding are not greatly different in interest and sympathy from the spokesmen for the railroads, and they refuse to play the game with the cards stacked against them."*¹²⁾
(Our Italics).

The Railway Labor Board saw the class nature of the impending conflict and denounced the representatives of labor for even making a dissenting opinion. The Board declared that:

"The minority is sowing some of the tiny seeds that have germinated and blossomed into industrial anarchy in Russia, when they make such statements as this: 'They (the economic laws) are simply a description of the way in which business and industry has worked to date, and it has worked out very badly for human life'."¹³⁾

12) Ibid, July 15, 1922.

13) American Railroads, Vol. III, No. 7, June 26, 1922.

The overwhelming majority, over 90 per cent of the shop crafts and the maintenance of way men voted for a strike. Here the Railroad Labor Board aimed at dividing the workers. With the help of the reactionary President Grable (who fortunately has since then been thrown out of office by a convention of the union) of the Maintenance of Way Men, they succeeded in stopping the strike of these lowest paid workers. The Government promised to review the appeal of these workers in a rehearing on the condition that the strike be called off. The traitor and his henchmen prevented the maintenance of way men from striking, pending the "new investigation," despite the fact that they had expressed themselves most emphatically for a strike.

But the shopmen struck and they struck hard. More than 400,000 workers deserted the shops on July 1st. The first national railway strike in America was begun. That this was to be a battle royal was evident. The men had been chafing to meet the challenge of the employers and their strikebreaking government. They were continually restrained by their leaders. Conditions had become unbearable. Not even their reactionary leadership could prevent the blow up of the powder magazine.

The American railway workers have a splendid record of courageous struggle and valiant resistance against oppression. It was in the railway strike of 1877 that Federal troops were first used extensively to break strikes. It was in the Railway strike of 1894 that the injunction was finally christened as a powerful weapon of the capitalists against the workers in the class struggle. In the strike of 1922 the struggling workers lived up to the heroism of their predecessors. And the capitalist Government here displayed its class character in a most brutal and open fashion. It completely exposed itself as an organ of class oppression, as a strikebreaking agency, as an instrument in the hands of the employing class whose first and paramount

purpose is to crush the workers in revolt against capitalist exploitation.

The Railways Grow Richer and the Workers Grow Poorer

Our railroad magnates have always accompanied their appeals for wage reductions with frantic cries about their poverty. A comparison of the fabulous profits taken by the employers with the miserable working conditions and starvation wages will prove that this propaganda is as fraudulent as could possibly be concocted and that the Government, when it ordered wage slashes, was only mouthing the false phrases of its master.

The following table prepared by the official organ of the Association of Railway Executives, the *One Big Union of the Exploiters of the Railway workers*, is very instructive. It shows the number of billions of dollars of profits produced for the railway capitalists by the workers in the period of 1916-1920 inclusive:¹⁴⁾

Year	Amount Paid to Security Holders	Dividend Payments	Interest Payment
1916	\$712,844,504	\$306,176,937	\$406,667,567
1917	723,701,217	320,395,779	403,305,438
1918	671,802,544	275,336,547	396,465,997
1919	682,606,364	278,516,908	404,089,456
1920	699,117,872	271,725,609	427,402,263
Total	\$3,490,072,501	\$1,452,141,780	\$2,037,930,721

This grand total of close to three and a half billion dollars tribute was paid to the capitalists for doing nothing but owning the railroads.

This is exclusive of the profits hidden by them thru bonuses, stock allotments and stock dividends. At the hearings before the Interstate Commerce Commission, Frank Julian Warne pointed out that the total amount paid per annum in dividends

14) Ibid, Vol. III, Number 1, January 31, 1922.

has, since 1898, increased 200%; that freight rates are today 113% higher than the schedules in effect in 1913; and that wages are only 84.6% higher than they were in 1916.

This is also exclusive of the huge salaries paid to the presidents and other officials for expert advice and other "expert" services. An example of this practice is thus presented by Mr. Warne:

"As an inducement to L. F. Loree, chairman of the executive committee, to relinquish, after ten months' service, a joint contract with the railway company and the 'Frisco' under which he was to receive a salary of \$75,000 per annum for a period of five years and in addition was to be paid a bonus of \$500,000 at the expiration of the contract, he was given bonds of the railway company at a par value of \$450,000. This was borne equally by the two companies, and the proportion of the railway company was charged to profit and loss. The total amount borne by the railway company in this transaction was \$250,000."¹⁵⁾

No Railroad Labor Board or any other Government agency was called upon to pass judgment whether this wage, typical of many others, was in accordance with the prevailing wage paid "workers" of this character in other industries. Nor did any Government agency have anything to say about its sufficiency. The capitalists are not controlled by Railroad Labor Boards. *They control the Railroad Labor Boards. They are the Railroad Labor Boards.*

Despite the depression of 1921 the railroads had in that year a *net income* of \$615,625,619 and the figures for 1922, according to the *Wall Street Journal*, bid fair to touch the \$900,000,000 mark.

15) Railroad Revenues and Expenses, Hearings Pursuant to Senate Resolution 23, Sixty-Seventh Congress, Vol. III, page 1160. Testimony of Frank Julian Warne.

The railroad industry, like the textile and coal mining industries and like all other industries under capitalism, is run on a basis of a continuous flow of dividends to the capitalists. In this industry, as in all other American industries, a steady income for the workers—let alone the full share of their product—is out of question. The only question before our captains of industry is how to guarantee a steady income to the coupon clip-pers and interest sharks. In the railway industry this brings about aggravated labor difficulties, because the railways are highly inflated in capitalization. Then the owners demand a rate of profit on a total capital much of which is non-existent. There is only one source from where this profit can be gotten. This is from the products of the workers. But herein lies the difficulty. This means a continuous intensification of the exploitation of labor. Translated into the language of the pay envelope, this means also a progressively decreasing wage for the workers.

Wages and Working Conditions

Here is how the railway workers are living. These items are culled from the testimony presented to the Railway Labor Board by the noted labor lawyer, Frank P. Walsh, in the hearings on the last wage cut for the maintenance of way men.

The first witness called was Mrs. Joseph Sabin of Milwaukee, the wife of a section hand and mother of five children, three of whom are dependents and two of whom have been compelled to leave school to help support the family. The earnings of this railway worker ranged from \$70 to \$80 a month. Mrs. Sabin said:

“When it rains he does not work, and last week he lost two days’ pay from this cause. One of the younger boys was sent home by the teacher, who said he had tuberculosis. A physician who examined him said his

illness was caused by lack of wholesome food. The coat I have on my back was borrowed in order that I could come to this hearing."

Another witness, Mrs. T. D. Osborn of Virginia testifying said:

"I have nine children, eight at home and one married. The youngest is two months' old which I have here in my lap. We pay \$5 a month rent and our grocery bill is \$80 a month. I have three children in school. The others are out for want of proper clothing. Before the last cut in wages, we managed to live fairly decent. I make and patch what clothing they have."

Mrs. G. R. Bunten of Illinois was forced to admit that

"We don't go to church and Sunday School because we have not got fit clothing."

And then Mrs. Fowler of Kansas told this tragic story:

"We can only afford \$5 worth of meat in two weeks. I take in washing at home and my husband helps me at the tub and with ironing after his road working hours. I have taken as high as sixteen washings a week. We do this in order to send our children to school."¹⁶⁾

Mr. Walsh made an eloquent plea that these meagre wages be immediately increased. The answer of the Railroad Labor Board was another decrease. Mr. Walsh pleaded:

"Higher wages must be paid at once if these people are to keep their heads above the poverty line and not lose their last hold on the pitifully low standards that they already have. If they are not given a wage to enable them to live in reasonable health and comfort

16) Proceedings Railroad Labor Board Hearings, April 17, 1922, "Labor," April 12, 1922.

they will be condemned to poverty, and every death in their family will rest upon your heads."

It has been calculated by the labor representatives on the Railway Board, on the basis of figures prepared by the United States Bureau of Labor Statistics, that the new wage slashes give almost 250,000 workers only 25.3 cents per day for food. Anent this condition labor members said:

"Presumably, buying on a wholesale basis, Cook County, Illinois, is paying 45 cents per day for the feeding of prisoners in the jail. Evidently the track laborers under the decision will secure considerably less than a prison ration."¹⁷)

In his testimony before the Interstate Commerce Commission on Feb. 11, 1922, Mr. Frank Julian Warne declared that,

"The great majority of employees on the railroads today are not receiving a wage sufficient to support themselves and their families in decency and comfort. In the face of intermittent employment, and in many cases of complete unemployment, their present wage does not meet even their absolutely fixed charges for food, clothing, and shelter. . . .

"But for the score or more devices invented by railroad executives to conceal the earnings of their properties, it would be seen that railroad operation is amongst our most prosperous industries, and that the railroads have enjoyed increasing prosperity."

From the following tables the great contrast between the poverty of the railways and the "prosperity" of the workers is glaringly evident.

17) "Labor", August 26, 1922.

Table I—Showing Average Annual Earnings of R. R. Employees

Year	All Employ- ees	Engin- eers	Fire- men	Conduc- tors	Train- men	Machin- ists	Track- men	Tel. Oper.
1900	\$567	\$1,161	\$662	\$1004	\$604	\$698	\$311	\$641
1907	641	1,340	758	1143	745	841	370	741
1913	757	1,661	954	1407	976	1007	436	864
1917	1,000	2,043	1239	1965	1237	1394	601	1018
1921 (1)	1,790	2,858	2102	2628	2030	2202	1072	1990
1921 (2)	1,575	2,629	1892	2391	1807	1995	900	1791

1) Represents the wages of first half of 1921 multiplied by 2.

2) Represents the wages of first half of 1921 multiplied by 2 and reduced by the Railroad Labor Board Decision of July 1, 1921, ordering a cut ranging from 8 to 16 per cent.

These figures are based on the statistics of railroad companies presented to the Interstate Commerce Commission. 1900, 1907, and 1913 are given as typical pre-war years. These figures also assume that there is continuous employment. They do not take into consideration the recent decisions depriving workers of overtime pay, nor the losses incurred by the workers thru the farming out of repair work. When we further deduct the latest cut—10 to 13 per cent—the actual wages received are much lower than these figures would indicate.

Table II—Showing the Purchasing Power of the Average Annual Wages 1900-1921

Year	All Employ- ees	Engin- eers	Fire- men	Conduc- tors	Train- men	Machin- ists	Track- men	Tel. Oper.
1900	100	100	100	100	100	100	100	100
1907	95	97	96	96	104	101	100	97
1913	92	99	100	97	111	100	97	93
1917	91	91	96	101	105	103	100	82
1921 (1)	117	91	118	97	125	117	128	115
1921 (2)	105	86	108	90	113	108	110	106

1) Represents the purchasing power of the wages paid in the first half of 1921 multiplied by two.

2) Represents the purchasing power of the wages received beginning July 1, 1921, in compliance with the wage cut ordered by the Railway Labor Board, multiplied by two.

This purchasing power is actually smaller than the table shows, for the figures presented here do not take into consideration the loss of wages suffered by the workers thru the subsequent decisions of the Railway Labor Board cutting wages and depriving the workers of overtime pay and other working conditions. Today, after all of these conditions, the wages of the railway workers actually buy less than they did in 1900. It is particularly interesting to note that the engineers and conductors who have been branded the "aristocracy of American Labor" have suffered most.¹⁸⁾

An examination of the wages of several classes of railway employees after the latest wage cuts in comparison with the minimum health and decency budget set by the United States Bureau of Labor Statistics shows how far below this lowest level the mass of railway workers find themselves.

Table III—Comparison of Earnings Before and After Wage Cut With Cost of Health and Decency Budget in the United States as a Whole.¹⁹⁾

Class of Employees	Cost of Health & Decency Budget	Annual Earnings Before Wage Cut	Annual Deficit	Annual Earnings After Wage Cut	Annual Deficit After Wage Cut
Clerks (a)	\$2,133	\$1,851	282	\$1,776	\$357
Clerks (b)	2,133	1,524	609	1,420	715
Clerks (c)	2,133	1,269	864	1,165	968
Mech. Device Oper.....	2,133	1,314	819	1,215	918
Truckers	2,133	1,134	999	1,034	1,099
Common laborers	2,133	1,035	1,098	936	1,197

18) Congressional Record, February 10, 1922, page 2674.

19) From Minority Opinion to Railroad Labor Board Decision, Nos. 1028, 1036, 1074.

The above wage rate fixed by the Railroad Labor Board grants the workers only 44 per cent. of this minimum standard as submitted by the United States Bureau of Labor Statistics.

Nor should we assume that railroad wages were high or even sufficient before the war. When the Government took over the railways because of their collapse under private control a commission was appointed to investigate wages. This Commission was headed by the late Franklin K. Lane, then Secretary of the Interior, and found that

“It has been a somewhat popular impression that railroad employees were among the highly paid workers. But figures gathered from all railroads dispose of this belief. Fifty-one per cent of all employed during December 1917 received \$75 per month or less. . . and 80 per cent received \$100 per month or less.”

All the talk of the railroad corporations about the increase in the total amount of wages paid in recent years fails to take into consideration the huge increase in the number of employees. The increase was from 1,647,000 in 1916 to 2,174,931 in August 1920. That this increase of employees was an advantage to the railroads in meeting the increased traffic is thus shown by Mr. Warne.

“Briefly, this increased traffic necessitated the employment of a larger number of men whose employment enabled the railroads to operate at their maximum capacity without the investment of additional capital. But the wages paid these additional employees went to increase the total compensation which enters as a factor into operating expenses. They were not, however, increases in wages, but represent a situation heartily welcomed by every railroad manager in the country. They should not have been confused in the public mind as they have been by the railroad publicity agents and

other representatives of the transportation corporations."²⁰⁾

The wage policy of the railway corporations has been, as is the policy of all other capitalist organizations, to pay as little as possible to the workers. However, when the paying is done by somebody other than the capitalists the policy is different. During the war when the railroads were under Government control, the rail magnates not only did not advocate wage cuts but even recommended increases. On May 10, 1918, President Samuel Rea of the labor-hating Pennsylvania Railroad, wrote to A. H. Smith, Regional Director, advocating an increase in wages.²¹⁾

Further proof that the railroad industry is not afflicted with a mysterious tendency towards poverty, is presented conclusively by the investigations of the Interstate Commerce Commission.

"Applying to the present situation these principles of economics as enunciated by the Interstate Commerce Commission, I, (F. J. Warne), assert as a well-considered conclusion, based upon nearly twenty years' experience with the accounts and practices of the railroads, that their revenues over a period of years, averaging the so-called lean years with the good years, are amply sufficient to pay the standard of wages prevailing prior to the 1921 reduction by the United States Railroad Labor Board, to meet all other legitimate expenses of operation, and at the same time to have a net income sufficient to pay a handsome return upon all the capital that is actually invested in the transportation industry."²²⁾

20) Hearings Pursuant to Senate Resolution 23, Sixty-seventh Congress, First Session, on "Railroad Revenues and Expenses," Vol. III, p. 1167.

21) Ibid, page 1209.

22) United States Senate, 67th Congress, Second Session, Pursuant to Senate Resolution 23, page 1771.

Even according to the prevailing rates of profit and degrees of exploitation under capitalism the railroads can pay higher wages. But the Government has supported the railway capitalists in a campaign to slash wages and the workers on the railroads have had to pay and pay dearly.

This situation was thus very well portrayed by the minority of the Railroad Board:

"The wages fixed by the majority decision are such as to condemn these railway workers to lives of extreme poverty. . . . It may be asking too much to urge that human life is in a class by itself, not to be listed indifferently among the costs of transportation.

". . . The wages most recently determined are in some cases less than 50 per cent of the amount needed for a fair standard of living.

"Maintenance and expansion costs of the railways must be paid, and with the 'cordial' and 'patriotic' co-operation of the workers; the 'maintenance costs' of the workers are considered 'theoretical,' when they are considered at all. Such is the basis for the series of wage decisions now being made."²³⁾

The Strike Grips the Country

Exasperated by the degrading working conditions, the starvation wages and the union-smashing campaign of the railroads, and bitterly resenting the undivided support rendered to the railway corporations by the Government the railway men gave battle to the employers. On June 27, 1922, B. M. Jewell, President of the Railway Employees Department of the American Federation of Labor sent the following telegram to Mr. DeWitt Cuyler:

²³⁾ Minority Opinion Railroad Labor Board Decisions Nos. 1028, 1036, 1074.

"I am informing you and thru you informing the responsible heads of the railway systems in the United States, and also the Pullman Company, most of whom are represented in the Association of Railway Executives, that unless an immediate arrangement can be made:

"1. To continue the payment of wages at present in force.

"2. To restore operation under rules 6, 10, 12, 14, 15, 46 and 177, as they existed prior to amendments thereof proposed in decision 222; and

"3. To discontinue the contracting out of work and shops, pending negotiations between the Association of Railway Executives and the Railway Employees Department, looking toward adjustment of those of the existing disputes upon these questions, a sanction of withdrawal from employment on July 1, 1922, as voted by the employees, will be unavailable."²⁴)

The chairman of the Association of Railway Executives replied:

"You demand that we accept your decision and reject that of the Labor Board. . . . To submit now to your demands . . . would be to recognize your power and authority as greater than that of the Government. . . . If you strike it will be against an order of a Governmental tribunal—it will be a strike against the Government of the United States."²⁵)

This did not awe the workers. They had no illusions as to the line up of the Government against them. Over 400,000 members of the International Brotherhood of Blacksmiths, International Alliance of Amalgamated Sheet Metal Workers, International Brotherhood of Boilermakers, Iron Ship Builders and Helpers of America, Brotherhood of Railway Carmen of

24) "American Railroads", July 13, 1922.

25) Ibid.

America, International Association of Railway Machinists, and International Brotherhood of Electrical Workers struck and tied up the repair work of the railways. These last six unions constitute the Federated Shop Crafts which were on strike. Within a few days after the declaration of the strike these workers were joined by thousands of clerks and maintenance of way men, plumbers, freight handlers, moulders, common laborers and truckers. On some systems the clerks were called out, as on the Chesapeake & Ohio, and Norfolk & Western. By July 17,500 non-union and 10,000 union firemen and oilers and stationary engineers were in the fight. This brought the numbers of strikers close to the 500,000 mark. Among this number there were 14,000 who were members of the American Federation of Railroad Workers—an independent union. Ninety-eight per cent of the men engaged in the shop-craft industries downed tools. These shop mechanics are the key to the whole railway industry. There can be no efficient train service unless the rolling stock is maintained in good order. The reserve of engines, without adequate repair breaks down sooner or later. And strikebreakers cannot maintain the railroads at a high state of efficiency for the service requires skilled and experienced mechanics.

The sentiment of the men for the strike was widespread and at a high pitch. Cincinnati is a rather conservative labor center. Yet it was in this atmosphere that the leaders of the striking shop crafts staged one of the most enthusiastic strike rallies on the eve of the battle. Jewell confessed then that if the workers voting for a strike would be in the majority a strike would be called, but he cautioned his audience that a strike would mean jail for some of them. In answer to this one of the workers jumped to his feet and declared:

“They can’t scare us fellows with threats of prison sentences. We will be better off in jail with three

meals a day than trying to live outside on the starvation wages awarded by the Railroad Labor Board."²⁶⁾

The sentiment for resistance was strong throughout the ranks in every railroad labor center. In St. Louis the women organized auxiliaries to the unions and energetically devoted themselves to keep up the fighting spirit of the strikers. This fighting spirit is well portrayed in the following letter sent to President Jewell by the Secretary of Mound City Lodge No. 144, Loyal Star of America, auxiliary to the Brotherhood of Railway Carmen, St. Louis:

"We as wives, mothers, sisters and daughters of railway employees effected by these unfair decisions, feel that said decisions are inhuman, unjust and absolutely unacceptable.

"We are well aware of the fact that we will be called upon to stand our share of hardships in case of a strike, but we would rather starve fighting for justice than to ask our breadwinners to accept such wages and conditions as are gradually being forced upon them thru the Esch-Cummins Bill and its offspring, the Railroad Labor Board.

"We, therefore, wish to request and insist that when present strike vote is returned that you brothers do not hesitate to put same into effect immediately, regardless of court decisions and injunctions.

"If labor must show capital we will fight to hold our rights, then there is no more delay necessary. Let us fight before we are gradually starved into submission."²⁷⁾

As the strike went on the railroads were approaching a state of actual collapse. The corporations then hired a huge army of guards to protect the incompetent strikebreakers from

26) "Labor," June 24, 1922.

27) "Labor", July 1, 1922.

any interference with their inefficient service. They further attempted to have members of the Big Four Brotherhoods do some of the work of the strikers. Against this the rank and file of the Brotherhoods revolted. Their opposition to becoming active strikebreakers could not be restrained. Many of them chafed at working while their brothers, the shopmen, were striking. But their leaders restrained them from rendering any other aid except financial. However, when the Brotherhood members were put to work under the bayonets of the troops sent against their brothers and under the "protection" of the guns of the company thugmen, many of them revolted and joined the walkout. Not even their reactionary leaders could restrain them.

The conditions of the service deteriorated rapidly. In some cases, the Brotherhood Chiefs, facing the inevitable walkout of their followers, took the initiative in ordering the men to walk out and refuse to operate trains under conditions endangering the lives of the travelers and the workers. The Grand Chiefs were, however, very careful to limit walkouts to instances entirely beyond their control, to conditions where the situation had become so intolerable for their members that order or no order the workers would revolt.

Service Crippled and Profits Cut

The transportation corporations resorted to the vilest publicity. They appealed to the courts and the Government for help in breaking the strike. The help soon came in the form of injunctions, troops, marshals, Government denunciations, and an attack on a nation-wide scale by the press. But the workers maintained a solid front.

One hundred and fifty passenger and freight trains running in and out of Chicago were withdrawn during the first 10 days of the strike. The Santa Fe cancelled many of its trains from California to Chicago. The Missouri Pacific was forced

to suspend thirty passenger and many freight trains in Kansas, Missouri, and Nebraska. This wave of cancellation was not limited to the West. The Missouri, Kansas and Texas discontinued forty-seven trains. On the International and Great Northern between Georgetown and Round Rock, Texas, all train service was discontinued.

The history of the strike is a story of progressive deterioration of the railway service. On March 1, 1920, there were 141,906 bad-order freight cars. Of these 78,980 required heavy repairs and 62,926 light. Within two weeks after the strike—July 15th—there were 342,078 bad-order freight cars and 271,400 required heavy repairs. Soon the Interstate Commerce Commission was compelled to acknowledge publicly that the railway service was in very bad shape, despite the protestations of the owners that everything was fine and growing finer and that the strike was wholly ineffective.

“INTERSTATE COMMERCE COMMISSION,
“Washington.

August 15, 1922.

“Dear Mr. President:

“The effect of deferred repairs is cumulative and becomes increasingly felt as time goes on. The acts which we are called upon to administer leave little discretion with the Commission as to enforcement when violations come to light. In the continuance of our enforcement of the law, we are taking steps and will be compelled to continue to proceed in a manner which must bring about serious withdrawals of motive power for service. Certain violations of the acts we report to the Attorney General for appropriate legal action. With a continuance of existing conditions these will be increasingly frequent....

“Faithfully yours,

“C. C. McCHORD, Chairman.”

The answer of President Harding to this violation on the part of the railroads of the Safety Acts was given to the workers in his special message of August 18th. He roundly condemned the strikers and praised the strikebreakers. Attorney General Daugherty subsequently echoed his condemnation of the workmen. But neither took a single step to punish the railway capitalists for their continued violations of the law.

And the railroad corporations went on endangering the lives of the travelers and blaming the strikers for whatever accident occurred. These accidents were due to the broken-down equipment. This paralysis was continually intensified. In response to Senate Resolution 327 calling for an investigation of the motive power the Interstate Commerce Commission revealed, on August 29th, the desperate situation in which the capitalists had put the country in order to break the strike and the union.

“At 717 different points they made personal inspection of 4,085 locomotives. Of these 2,456 disclosed defects of the varied character mentioned above, and more or less serious; 169 were found to be in such condition that they were not ‘safe to operate’, and notices were served upon the carriers under Section 6 of the act, requiring them to be withdrawn from service. Of the others, 992 were found to have defects less serious in character, but in need of prompt attention. In 1,295 cases defects, though not such as to give cause for immediate concern, were such as, in accordance with sound practice, should have attention. . . .”

In reality conditions were much worse, for the Commission was limited by a Congress that had been so generous in handing out millions of dollars to the railroad capitalists, to only 50 inspectors for 70,000 locomotives. The report continues:

“It is impossible for us to accurately report the extent of such violations.

"Inspection of locomotive boilers is at present being made in all Federal boiler locomotive inspection districts by our inspectors, but all inspections by the carriers as contemplated in Section 5 of the act are not being made by and upon all common carriers engaged in interstate commerce. The reports from our inspectors indicate a very general let down in the matter of inspection by the carriers, which gives cause for concern."

This collapse of the railway service brought in its wake numerous accidents. The strikers were blamed for these. Not a single railroad capitalist was apprehended or punished for the continued violation of the safety statutes. Instead, many innocent workers were framed up, as at Gary, hounded, beaten, indicted, and condemned to severe prison sentences.

Mr. Whiting Williams who investigated the working and living conditions of the strikebreaker by living and working side by side with him in the strike said apropos of this:

"Undoubtedly many disasters, blamed on strikers, have been caused by . . . ignorant workmanship.²⁸⁾

But Harding, as Chief Executive of the country and chief spokesman for the railroad capitalists, saw things differently. He saw them only from the point of view of the profit-mad capitalist strikebreaker. In his message of August 18th, he praised the strikebreakers and denounced the workers despite the fact that the incompetency of the strikebreakers added to the casualties incurred by the breakdown of the service. Said the President:

"Men who have refused to strike and who have braved insult and assault and risked their lives *to serve a public need* have been cruelly attacked and wounded or killed." (Our italics).

28) Collier's Magazine, November 18, 1922, page 11.

To Harding, as to all other strikebreakers, the public need and the profits of the exploiters are synonymous.

The strike which, for three months, was in effect on all railroads has cost the railroads approximately a quarter of a billion of dollars in extra costs, loss of profits, and intensified inability to meet the growing demands for service.

According to the Interstate Commerce Commission fifty-nine railroads had operating deficits in August. Of these, eight were in the Southern, thirteen in the Western, and twenty-eight in the Eastern Districts. For the same month the net operating income of the Eastern District dropped from \$35,402,300 to \$14,929,990. In the Western District the drop was from \$50,335,500 to \$33,031,700.

For the three months of July, August and September the Class I roads had a falling off in net operating revenue of \$48,500,000. This decrease is particularly significant when we take into consideration the fact that beginning the early summer months there had set in an increased demand for railroad service—a demand comparable in scope only to the peak of prosperity in 1920.

Expenses continued to mount with the strike's effectiveness. In August the expenses increased by \$24,000,000 over June, the last month before the strike. September showed an increase of \$45,000,000 — largely for "transportation" and "maintenance of equipment." Though this month showed, according to the figures submitted by the railroads themselves to the Interstate Commerce Commission, a decrease of about 23 per cent. in the number of skilled mechanics employed, yet there was an increase of over 17 per cent. in the expenses. And this also despite the fact that the wages of the skilled shop workers had been cut from 72 to 67 cents an hour.

For the skilled union men the Railroad Labor Board ordered the abolition of the overtime scales. When it came to

paying overtime rates to strikebreakers the Board did not interfere in the least. In June the railroad corporations paid \$747,000 in straight and \$952,000 in punitive overtime. In July, the straight rose to \$828,000 and the punitive jumped to \$5,183,000. August saw the straight overtime climb to \$1,323,000 and the punitive mount to \$12,000,000. The pace was maintained in September when the regular overtime pay rose to \$1,617,000 and the time and a half, double time expense leaped to \$15,466,000. Besides, there was also a bonus bill of \$3,700,000 paid to the "loyal" workers. Within this three month period the companies spent \$29,000,000 more for fewer repairs than in times of peace for a similar period, as shown by Mr. Evans Clark of the Labor Bureau:

"The increase in transportation costs came from the rapid increase in delays and accidents on the roads resulting in overtime payments to train crews, in 'protecting' the strikebreaking crews, and other such items. The normal expense for guarding railroad property is about \$1,000,000 a month which goes in wages to private policemen. In July the Class I Roads spent \$6,000,000 in wages to special officers. In August they spent \$7,500,000 and in September \$5,700,000. The average for the three months was 540 per cent. more than the normal amount. The New York Central alone spent \$551,000 for special officers in August while the strike was on and only \$97,000 in October when it had settled with the men. . . ."²⁹⁾

It is especially instructive for workingmen to note the type of people to whom the railroad corporations and the Government, both protectors of the public, entrusted the railroads. Anent this condition, Mr. Mingos, recently declared, after making a thorough country-wide investigation for *The New York Times*.

29) The Nation, December 27, 1922, page 715.

“ . . . The down-and-outers and the professionally unemployed are now working for the railroads. When the call went out for strikebreakers these classes came a-running. Most of them came from the city parks and the alleys, all sorts of degrees of the unskilled.

“Unskilled in honest labor, that is; for there are instances too numerous to mention where train load after train load of recruits have been dumped into a railroad town to have the company officials discover that they harbored and paid a precious crew of thugs, gunmen, and sharks, second-story men and ex-boot-leggers.

“Many of them were just resting up after a stretch in prison or avoiding contact with the metropolitan police. With them came the honest, good-for-nothing bum. It was his golden opportunity. Easy money, everything found and protection. Above all, protection was what his gentle soul most craved—three meals a day, a place to sleep, and protection. For his arch-enemy, work, he had no fear. Who ever heard tell of a strikebreaker working?

“The bum who a year ago panhandled his way from park to park and into one jag after another, at the expense of the city’s gullibles, has for the last several months been a personage. Sought after and welcomed by all the rival strikebreaking organizations, fly-by-night detective agencies, fake industrial bureaus and upstart employment headquarters, he has been depended upon to help break the strike and keep it broken.

“Few questions if any are asked by the strikebreaking agencies, which receive as a rule \$25 for each man furnished the road.

“The road in turn must provide first class transportation for the worker and guarantee that he will be returned to base in equal luxury. If he travels at night, Pullman accommodations are included in the bill.

Thousands have been shipped out of New York in the past few months.

"Thousands have returned to town a few weeks later with more money than they ever saw before. They spend it here and sign up for some other job in another shop. Thruout the length and breadth of the land the hoboes and the tough guys are enjoying the hospitality of the railroads.

"Instead of dodging fly cops, they are under their protection. East and West, the ancient habit of gun-toting has been revived, virtually all the new employees carrying weapons."³⁰)

And these are the "men" the Government called "loyal" workers. These are the ones whom the Government guaranteed the right to work by jailing the strikers and sending the soldiers against them. These are the ones whom the Government afforded protection by issuing scores of injunctions against the strikers and beating and jailing them.

Why were the railroads so ready and anxious to pay the strikebreakers so well? Why was the Government so generous in spending hundreds of thousands of dollars to protect these strikebreakers? Why did Harding even pause at taking a vacation in order to have sufficient time in which to prepare strike-breaking messages on behalf of these loyalists? There is but one answer to all of these questions.

The Government Rallies to the Open Shop Drive

The answer is this. The Government, acting as the defender of the interests of the capitalist class, was in thorough agreement with the plan of the railroad capitalists to destroy the railway unions. What mattered cost? What mattered injunctions? What mattered jail sentences for workers? What mattered the widespread use of the army to shoot down workers? The

30) The New York Times, November 19, 1922.

Open Shop Crusade had called. Inspired by the holy cause of the Dollar, the Government threw in all of its financial, military and judicial powers against the workers. In no other strike before, had the Government acted so thoroughly as a strike-breaking agency.

On July 3 the Railroad Board adopted a resolution outlawing the unions. This resolution declared:

"Whereas, in the future submission of disputes involving rules, wages and grievances of said classes of employees of the carriers it will be desirable, if not a practical necessity for the employees of each class on each carrier to form some sort of an association or organization to function in the representation of said employees before the Railroad Board in order that the effectiveness of the Transportation Act may be maintained. . . .

"Be it further resolved that. . . it must likewise be conceded that the men who remain in the service and those who enter it anew are within their right in accepting such employment—that they are not strikebreakers—seeking to impose the arbitrary will of an employer on employees, that they have the moral as well as the legal right to engage in such service of the American public to avoid interruption of indispensable railroad transportation and that they are entitled to the protection of every department and branch of the Government—State and national.

"By order of the
"United States Railroad Labor Board,
"BEN W. HOOPER, *Chairman.*"

This strikebreaking resolution was the key to the Government's union-smashing policy thruout the whole strike. It also laid the basis for the subsequent demand made upon the workers for unconditional surrender by the Railroad capitalists when the question of Seniority came up. The Government gave the capitalists the cue and they took it.

On July 7 Mr. Hooper followed this up with another thrust at the workers:

"The Shop crafts have been fairly heard before the Labor Board. They have appealed from the sober conservative judgment of this Board to the strike, with all its inevitable un-American subversion of law and order.

"For the Labor Board to yield to measures of this kind would be an outrage upon public decency and would hasten the enthronement of anarchy in this country."

Within ten days after the strike was declared troops were mobilized in Ohio, Indiana, Kentucky, New York, Kansas, Missouri. Before the strike was one month old two companies of anti-aircraft field artillery were rushed to Concord, New Hampshire. At the request of James H. Hustis, President of the Boston and Maine Railroad, Governor Cox of Massachusetts mobilized the newly organized State Constabulary, cancelled the leaves of absence in the first corps of the National Guard and issued a proclamation against the workers. It follows in part:

"The Commonwealth of Massachusetts cherishes its good name and is ready now to use every force at its command, whether civil or military, to protect the avenues of transportation, to prevent intimidation, to suppress violence and to maintain the public safety."

All of this military fanfare was caused by a supposed wave of violence on the part of the workers. As a matter of fact, however, this strike was peaceful compared with the stormy days of 1877 and 1894. Much of the so-called violence was deliberately planned and manufactured by the bosses themselves. A good deal was due to the use of gunmen. No less was born in the heads of the loyal and energetic editors of the metropolitan press and the Government officials. Said the *Labor Journal* of San Bernardino County, California:

"At the beginning of the bombing, our committee asked to be permitted to assist in uncovering the perpetrators and were most anxious to apprehend those guilty. Their offer was contemptuously refused and strikers were blamed, and every attempt was made to fasten guilt upon them....

"A pistol duel was fought between U. S. marshals and Santa Fe Guards, in which fourteen shots were fired. Newspapers and peace officers laid the blame to the strikers. Investigation by the strikers' committee proved that same was an assault with deadly weapon with an attempt to commit murder, all within the stockade. One group of peace officers was close by on Fourth Street, another group was directed to Fifth and L. Streets, away from the scene of the shooting, by an emissary from the inside. This positive proof was furnished to both local and Federal peace officers by the strike committee, and begged for an investigation that would clear up the whole situation, and unearth the damnable conspiracy to discredit the strikers. We firmly believe that an investigation at that time would reveal the murderer of Burton, a Santa Fe guard, found dead in the switch yards.

"Later, one of the U. S. marshals was observed burying a bomb on Santa Fe property, and the Sheriff was called and dug up the bomb. He turned it over to the marshals and the affair was dropped.

"Men were seen to throw a number of bombs or grenades from a car driven along Sixth Street. Official investigation, as soon as reported, that the bombs came from a marshal's car, was apparently dropped, but the newspapers attributed the offense to the strikers."³¹⁾

But the Government was out to break the strike and it recognized no bounds to its efforts in behalf of the railway cor-

31) The Labor Journal, San Bernardino County, California, October 20, 1922.

porations. Before Daugherty issued his injunction, the local and District courts had already granted eighty-nine injunctions against striking workers thruout the country. The lie to the excuse for these strikebreaking activities on the part of the Government was given by the monstrous Daugherty injunction. His own pet friend, Judge Wilkerson, who had been appointed at the request of Daugherty himself only a short while before he granted the labor-crushing ukase, was compelled to throw out almost three hundred affidavits submitted by the Government against the workers and charging them with violence.

The gigantic strikebreaking activities of the Government in the struggle of the railway workers against the capitalists is seen in the following press despatch:

"GOVERNMENT'S STRIKE BILL

"ACTIVITIES IN RAIL WALKOUT COST

WASHINGTON \$1,250,000.

"Washington, Nov. 14.—Activities of the Government in the railway shopmen's strike of last summer cost upward of \$1,250,000 according to an estimate reached today by actuaries of the Department of Justice.

"The major portion of the expense was represented by the salaries and expenses of special deputy marshals, of whom 6000 were appointed during the course of the strike.

"Applications from State and Civic organizations for additional appointments in this category, if granted, would have sent the total to 40,000, an official of the Department said today."³²⁾

Then came the last nail driven into the coffin of the strikers by the Government—the sweeping, drastic Daugherty injunction of September 1st. The strikers were forbidden to call those

³²⁾ New York Times, November 15, 1922.

who robbed them of their jobs "strikebreakers." The order not only completely shut up the workers and prevented them from making any comment as to the strike, it not only prevented the leaders from issuing any orders by word of mouth or pen to the workers, but it also completely tied up all union funds. In making his plea for the injunction, Daugherty ripped the mask of hypocrisy from the face of the Government. He openly and frankly announced:

"So long and to the extent that I can speak for the Government of the United States, I will use the power of the Government within my control to prevent the labor unions of the country from destroying the Open Shop. . . .

"There comes a time in the history of all nations when the people must be advised whether they have a Government or not."

And Daugherty surely did advise the people, for in Judge Wilkerson's District alone 107 workers were arrested for alleged violations of his crushing order. The Attorney General's advice went on:

"No union or combination of unions can, under the law, dictate to the American Union. When the unions claim the right to dictate to the Government and to dominate the American people and deprive the . . . people of the necessities of life, then the Government will destroy the unions, for the Government of the United States is supreme and must endure."

This injunction proved the supremacy of the United States Government beyond the shadow of the slightest conceivable doubt—the supremacy as the most powerful and ruthless strike-breaking agency in operation.

This offensive against the unions was preceeded by an attack against the most militant workers. The object of this was

obvious. An attempt was made to give the strike a "red" color. The Government wanted to hide the ugly fact that it is ready to and does throw in all its powers against the workers even when *they struggle for the most elementary rights*. Pursuing this policy so well indicated for it by its predecessor the Democratic Administration, the Government engineered a raid on the offices of the Trade Union Educational League in Chicago. The excuse for this attack on the headquarters of this militant champion of the workers was a search for evidence as to the cause of the wreck in Gary, Indiana; a wreck which was due to the defective equipment used by the railroad capitalists.

In quick order there followed a raid on the Communists meeting in Michigan. These workers, who have been in the front ranks of every struggle against the exploiters and oppressors and who are proposing that the working class establish its own Government to abolish the capitalist tyranny, were especially singled out for persecution. Nearly a score were arrested and held under prohibitive bail. These were closely linked up with the railway strike.

Preparing the Settlements

On July 11th, President Harding called for "the co-operation of all public authorities . . . and all good citizens to facilitate" the maintenance of transportation—in effect it was the open shop. In reply to this the unions charged that the railroad companies themselves were the ones who were violating the law. They cited the fact that "92 railroads have violated the Transportation Act or decisions of the Railroad Labor Board in 104 cases"; that the wages ordered by the Railroad Labor Board were totally insufficient for an American family; that the Railroads had refused to establish National Adjustment Boards despite the fact that the Transportation Act provided for their establishment; and finally that the Labor Board "has abolished

overtime pay for Sundays and holidays enjoyed for thirty years even on unorganized roads."

Then the Railroad Labor Board made some useless attempts to get peace. On July 31 Harding proposed to DeWitt Cuyler, Chairman of the Association of Railway Executives the following:

"First—Railway managers and workmen are to agree to recognize the validity of all decisions of the Railroad Board, and to faithfully carry out such decisions as contemplated by the law.

"Second—The carriers will withdraw all lawsuits growing out of the strike, and Railroad Labor Board decisions which have been involved in the strike may be taken, in the exercise of recognized rights by either party, to the Railroad Board for rehearing.

"Third—All employees now on strike to be returned to work and to their former positions with seniority and other rights unimpaired.

"The representatives of the carriers and the representatives of the organizations especially agree that there will be no discrimination by either party against the employees who did or did not strike."

The President further said:

"You are at liberty to present the situation as I have outlined it to you, and I hope you will convey to the members my deep conviction that the dispute must be brought to an early termination. I need hardly add that I have reason to believe these terms will be accepted by the workers.

"If there is good reason why the managers cannot accept, they will be obligated to open direct negotiations, or assume full responsibility for the situation."

On August 3 the workers formally accepted this offer. In the meantime Hoover had been despatched to New York to urge the bankers to permit the railway executives to accept this of-

fer. On August 1, 1922, Hoover attended a secret conference of bankers at which were present Benjamin Strong, Governor of the Federal Reserve Bank of New York; Chas. E. Mitchell, President of the National City Bank; Mortimer L. Schiff of Kuhn, Loeb and Company; James E. Alexander, President National Bank of Commerce; Edward R. Stettinius, of J. P. Morgan and Company; Steward Prosser, President Bankers' Trust Company, and others. Hoover was pleading in vain. The bankers said "no." Then came a quick succession of "noes" to the President's request. First the railway executives rejected the plan. Then Harding himself made a complete right-about-face. He did not dare to challenge the bankers—his masters.

On August 7 the President offered the workers to return to work at once and leave the question of seniority to the Railway Labor Board. This the workers flatly rejected. The Executives, under the spur of the bankers, were now even more haughty. They were bent upon punishing severely their workers who had challenged their right to ruthless exploitation. The executives insisted that there could be no compromise on the seniority issue. They swore by their strikebreakers and said they owed it to their loyal workmen to reward them. The real reason for this insistence on robbing the strikers of their seniority rights was plain to every one. The Executives saw in it an effective method of uprooting unionism on the railways. Had the workers accepted this plan it would have meant unconditional surrender and ignominious defeat—a deathblow to the unions. At this point the original strike issues were lost. The struggle centered about the right of the railway workers to go back to their jobs without loss of the standing won by them through years of service.

The Big Four Attempt Peace

In the meanwhile the conditions of equipment had grown intolerable and members of the Big Four were becoming very

restless. Hundreds quit. They refused to work under these dangerous conditions and under the guns of thugs and soldiers. The Brotherhood leaders also felt that a loss of the shopmen's strike would cripple their case before the Railroad Labor Board. But the greatest fear entertained by these leaders was that they would lose control of the rank and file of their unions. The workers in these unions were developing an active sympathy for the strikers; a sympathy which was continually intensified by the outrages heaped upon them by the soldiers and gunmen.

These conditions forced the Grand Chiefs of the Big Four to attempt a settlement. In the latter part of August, Sheppard of the Railway Conductors, Lee of the Trainmen, Cashen of the Switchmen, Robertson of the Firemen, and Stone of the Engineers had a series of Conferences with the Railway Executives in Washington. These fizzled out as all the other attempts did. The capitalists knew that these Chiefs would go no further than talking in all their threats:

But in the midst of the Daugherty proceedings, a settlement was reached which has since been adopted on roads employing about half of the 400,000 strikers who went out at the first call. On September 13th, the Chairmen of the Ninety Federation Systems ratified the Jewell-Warfield Agreement as a basis of returning to work on the individual systems.

This agreement provides for the setting up of a commission consisting of union men and railway magnates to settle all disputes. The Railroad Labor Board is thus totally disregarded. The strikebreakers are permitted to continue on their jobs. Seniority is to be maintained only amongst the strikers themselves. The wages ordered by the Railroad Labor Board remain. By November this agreement had been accepted only by about one-third of the class I carriers. There were then still close to 200,000 workers on strike.

Results of the Strike

In the struggle of the railway shop crafts the striking workers displayed the same magnificent solidarity that their brothers in the mines and textile mills manifested. But in this strike like in the other two the workers were faced with almost the same obstacles. First of all, they had to reckon with a most reactionary leadership. Secondly, they were organized along the archaic lines of craft unionism. In the railway strike this crippled organization structure proved completely hopeless against the powerfully centralized machine of the capitalists. Finally, because of the strategic importance of the railway industry to the capitalists and because of this very powerful financial machine running them the Government was most ruthless in its strikebreaking activities in this struggle. The whole situation was thoroughly analyzed by Wm. Z. Foster as follows:

“Never in the history of American railroading was there such a splendid spirit of solidarity developed, never such a pure realization of the welfare of all railroad workers, skilled and unskilled, is bound up together. The stage was all set for the most tremendous strike in history, for a movement that would have been gloriously victorious, and that would have dealt an heavy blow at the very foundations of capitalism. But the leaders of the nine non-striking unions ruined it. They betrayed their members into the hands of the companies. They compromised the whole fight. They robbed the workers of victory. They are traitors to the working class.”³³⁾

Mr. McMenimen, a Labor member of the Railway Labor Board, was especially active in checking the spread of the strike. It was this “representative” of the workers who moved that the Maintenance of Way men be granted a new hearing by the Rail-

33) Wm. Z. Foster, in the “Labor Herald,” October 1922, page 7.

way Labor Board. This was sufficient excuse for Mr. Grable to prevent the maintenance of way workers from striking, though they had been the worst sufferers from the wage cuts. Recently these poorest paid workers were denied the right to a living wage but were granted a two-cent an hour increase as a reward for not striking. Had this Union struck, the chances of victory would have been enhanced tremendously. By itself, however, consisting as it does of "unskilled, undisciplined, and unstrategically situated workers," this Union does not stand a chance against the railway corporations.

The conduct of Fitzgerald leading the Railway Clerks is no less despicable. His Union is not situated any better than the Maintenance of Way Men are. Despite the fact that it received a painful wage slash, the Union did not join the strike. It also threw away its chance. The only leader in the whole railway industry who showed some appreciation of the struggle was Stone of the Engineers.

But the worst treason was in the conduct of Grand Duke Lee of the Trainmen. When the members of his union went out on the Chicago and Alton he ordered them back on pain of expulsion. Because of the revolt of the rank and file of the trainmen against the brutality of the gunmen on the Atchison, Topeka, and Santa Fe Railway the Grand Chief Lee removed from office one general chairman, three local chairmen, and eight officers of subordinate lodges.

On October 10th he crowned his infamy with the following declaration:

"This whole business, with all railroad labor unions on one side and all railroads on the other, with the Railroad Labor Board in between, got too big for any one man or a few men to handle. It was loaded with dynamite for the country as well as for ourselves and the executives. No sane Government would permit any

faction or class to paralyze the transportation business of the country and thereby punish the innocent, who are always in the majority. *The only way out was to separate.*"³⁴⁾ (Our Italics).

This means the dissolution of the Big Four. Wall Street was quick to applaud this treason. Commenting on this statement, the November 1922 Bulletin of the National City Bank said:

"The public is under the strongest obligation to see that men in the essential industries who waive the right to strike shall receive fair and liberal treatment, and it would be an ideal settlement of the matter to have the railroad men voluntarily accept that assurance."³⁵⁾

And the *Wall Street Journal* joined in the applause.

"It is no paradox to say that their inability to stand shoulder to shoulder thruout the strike was the most fortunate thing that could have happened, first for the country at large and eventually for the investors in railroads."³⁶⁾

In the struggle only seven of the sixteen railway unions struck. When compared with the solidarity of the capitalists the collapse of craft unionism is appalling. Against this divided front of the workers the capitalists on the railway presented a mighty compactness of organization unrivalled by the employers in any other industry. A small group of New York bankers control the whole transportation system of the country. Thru interlocking directorates these banks are the owners of the railways, of coal, of the railroad supply companies, of steel, and scores of other industries. This group establishes the policies for the railway companies on a national scale. The

34) New York Times, October 11, 1922.

35) National City Bank Bulletin, November 1922, page 6.

36) Wall Street Journal, October 17, 1922.

Morgan interests dominate this group of financial lords who number twenty-five. How these capitalists have played havoc with the unions is magnificently described by Wm. Z. Foster in the following:

“The companies have played the various organizations against each other just as they have seen fit, forcing some into the strike and keeping others at work scabbing, exactly as they desired . . . The shopmen’s strike, evidencing as it did the deplorable lack of solidarity between the railroad trades, is an unanswerable argument for industrial unionism thru amalgamation.”³⁷⁾

This is one of the most important lessons of the railway strike. It is a lesson of inestimable importance to the workers of every industry, to the whole working class. It is the lack of effective organization in the other industries also that makes it much easier for the capitalists to recruit huge strikebreaking armies.

Finally the Government has completely exposed itself as a strikebreaking agency in this strike. In the struggle of the railwaymen, the press, the army, the courts, the legislative and executive departments of the Government, Federal, State and local, were at the disposal of the employers. The railway strike brings home to the American working class—that the Government is an instrument in the hands of the capitalist class. The role of this Government in the textile, mine, and railroad strikes completely convicts our “democracy” of being a capitalist dictatorship, a Government of the employing class, by the employing class, and for the employing class.

The capitalist knew they could count on their Government. When the danger of a strike first manifested itself, the employ-

37) Wm. Z. Foster, in the “Labor Herald,” October 1922, page 6.

ers openly stated that a railway strike would mean a challenge to their Government. The United Business Service Bulletin declared:

"If the railway unions elect to strike it will be necessary to meet and answer the question as to the ultimate hands in which reposes the real Government of the United States. For the Railway Labor Board to weaken or to compromise is to yield the power of government in an essential matter to a Railway Soviet."³⁸⁾

Though the workers did not at first see the political nature of their struggle so clearly, thousands of them learned it afterwards. To the railway workers this strike proved a schoolmaster—a very stern schoolmaster. It was a painful lesson to learn but it was absolutely necessary and well worth while learning. This has been forcefully pointed out in the following from the investigation of *Collier's* magazine:

"In the past nine weeks the most disturbing thing has been the spirit of such statements as these: 'Seems like they ain't no government for us working class people,' or, 'It started with me the day my father wheeled all our household stuff in a couple of baby carriages out of a mine town up the hills into the snow; evicted we was then. Same now. I thought us working class had got by all that'.

"This belief in working class persecution is the most outstanding and serious result of the labor wars of 1922. In some degree it always follows industrial conflict, but in no other strike of recent times have the workers felt that the railway management and the public hit them unfairly with the fist of the non-partisan courts. The so-called Daugherty injunction has done more than anything else in a generation to arouse in the minds of hundreds of thousands of workers a growing doubt as

38) United Business Service Bulletin, June 10, 1922.

to whether our Government can be trusted to play fair."³⁹⁾

The Government was bent upon teaching the whole working class a lesson. The shopmen were stunned by the brutal, powerful blows showered upon by them from all directions by the Government. The doubts grew with every terrific blow. For hundreds of thousands of workers the doubts grew and grew until they were dispelled.

If the workers of America are ever to win freedom from this tyranny of their exploiters they must prepare to win complete political power and must turn their unions into fighting organizations. Only thru a thoroughgoing housecleaning of the reactionaries in the union administrations and the declaration of independence from the employers' political parties can these ends be achieved. These are the immediate tasks confronting the American workingmen. It is these tasks that they must meet and meet soon.

³⁹⁾ Whiting Williams in Collier's Magazine, November 18, 1922, page 28.

CHAPTER VII.

THE COURTS AND THE WORKERS

"I have got 25,000 men working for me in a little foundry back east. I'd like to see any union labor leader start something among them. Why, when the railroad strike was starting, a bunch of labor delegates came around to the plant. *In twenty minutes I had every damned one of them in jail. I was told I had no right to put them in jail. I said: 'But they are in jail, aren't they? Now go and get them out.'* You've got to act quick when you are facing a crisis."—From address by Samuel M. Vauclain, President of the Baldwin Locomotive Works, Philadelphia, before New Orleans Association of Commerce, April 12, 1923. (Our Italics).

"The administration of American justice is not impartial, the rich and the poor do not stand on an equality before the law, the traditional method of providing justice has operated to close the doors of the courts to the poor, and has caused a gross denial of justice in all parts of the country to millions of persons."¹)

The Role of the Courts in the Class Conflict

WHEN the Constitution was adopted there was set up a system of Federal courts parallel to the State courts. Our "Fathers" were building a highly centralized State and the existence of this judicial parallelism was a means to this end.

1) Justice and the Poor, Page 8, By Reginald Heber Smith, The Carnegie Foundation for the Advancement of Teaching, Bulletin No. 13.

Then, the problem for the ruling class was to limit the powers of the individual State, to check separatism, and to prevent any one State or group of States from dominating all others. The Federal Courts were built to help achieve this end. With the development of large-scale industry and the rise of a powerful ruling capitalist class, the question of State rights died as a political issue. The very economic conditions themselves gave rise to a centralized national State—the present Government of the United States.

Today, the Federal courts especially are of growing importance in the class conflict. Their inherent characteristics—the appointed judiciary—and the lifetime period of service—make them far more immune from popular influence than the State Courts are. In the latter courts the judges are elected by popular vote and the duration of their term is limited.

The prevailing system of law expresses the status of class relationships, the balance of class powers at a definite historical moment. The whole system of law, at any given period, is an outgrowth of the economic conditions prevailing at that particular moment. But, the system of law is not always completely adjusted to the needs of the ruling class; the enactment of law does not always keep pace with the changing conditions and the new demands of the capitalists resulting therefrom.

In the class war, like in any other war, suddenness of attack and counter-attack is an indispensable asset to the belligerents. In this respect, in the dealing of sudden blows to the workers and in effectively resisting any sudden attack, the courts render the employing class the greatest service. As the class conflict is intensified and broadened, as the workers offer a stronger and stronger resistance to their enemy; as they show signs of developing a power of offensive, the courts, State as well as Federal, under the leadership of the Supreme Court, more and more tend to meet the needs of the employers as they

arise. In cases where no law has as yet been enacted the courts order or forbid; and in cases where a particular law may seem to have outgrown its usefulness and being so unsuited to the new conditions as to become a menace to the interests of the employing class, the courts actually, though not formally, legislate through the judicial opinion.

On the unlimited power of the courts hinges the whole American Governmental system—the power of oppression in the hands of the employing class. This has been clearly pointed out by the reactionary Senator Shields from Tennessee:

“I do not believe that any branch of our Government shall fail, but to the judiciary, more than to anything else, must we look for the preservation and perpetuation of our Government. A wise and courageous judiciary, resting on the confidence of the people, will save it from disintegration, revolution and destruction.”²⁾

The Courts Serve the Rich

A. PROPERTY INTERESTS ARE PARAMOUNT

The American Government is formally committed to “the protection of life, liberty and property.” Today, however, he who has no property has little life and liberty that can be protected. The propertyless class, the workers, have as little life as their meagre wages can buy and as much freedom as they can wring from their oppressors—the employing class.

Consequently, in fulfilling this duty, the American courts are mostly animated by a desire to protect property—and the life and liberty of those who have property. In the code of American justice, *Property* comes first. Property is paramount.

2) Senator John K. Shields, Tennessee, Cong. Rec. April 3, 1922, Page 5354.

In 1918 Congress enacted a minimum wage law for the working women in the District of Columbia. The employing class soon turned its heavy guns on it. They immediately challenged the constitutionality of the measure on the plea that the law is in violation of property rights. The rights of life and liberty of the working women did not matter one bit. The supremacy of Property rights was formally acknowledged in a decision on this law rendered by the Court of Appeals of the District of Columbia on November 6, 1922. Said the Court:

“Not that any amount of property is more valuable than the life or liberty of the citizen, but the history of civilization proves that when the citizen is deprived of the free use and enjoyment of his property, anarchy and revolution follow, and life and liberty are without protection.”

In this opinion delivered by Justice Van Orsdel the court declares that the right of the capitalists to enhance their property is inviolable, that the right of the workers to the “pursuit of life, liberty, and happiness”, is nothing but a hollow mockery, and that all other “rights” are only secondary to the right of the employer ruthlessly to exploit his workers.

B. THE EMPLOYERS PICK THEIR JUDGES

If it should happen that a particular court does not properly discern the urgency of meeting some immediate employing class interests, the capitalists simply move to another court. They move into more reliable territory. The following case is illustrative of this condition.

In March, 1922, the workers on the Western Maryland Railway Company rose in revolt against the vicious cost-plus contract entered into by the corporation with a dummy agent. Immediately the railroad barons hit upon the idea of wearing out

the workers through litigation. They sought injunctions restraining the workers from picketing, arguing with strikebreakers or trespassing. They could not, however, convince Federal Judge Rose of Maryland of the necessity for such injunctions. He denied the plea of the corporation.

Immediately the President of the Railway Company, Mr. Byers, applied to Judge William E. Baker, of the United States Court for the Northern District of West Virginia. This Judge rendered service to the railway capitalists and rendered it with an overflow measure. Judge Baker issued an injunction identical to the one denied the capitalists in Maryland. He went Mr. Byers one better. His temporary restraining order was for "all citizens of West Virginia" as well as the shop crafts.

C. PROTECT GIANT ROBBERIES

In 1916 the grain gambling capitalists robbed the farmers of North Dakota of almost \$100,000,000 by undergrading wheat. The exploiters graded this harvest at Minneapolis as "chicken feed" and paid the farmers \$1 a bushel. On the market this grade of wheat was actually selling at \$2 a bushel. This brought on the revolt of the Non-Partisan League and in 1919 North Dakota enacted a Grading Law to prohibit such monumental frauds. The capitalists at once challenged this law. In March 1922, the United States Supreme Court declared this law unconstitutional by a vote of 6 to 3. Judge Day, in the majority opinion, declared that the law interfered with interstate commerce and that the State had no right to enact such a measure interfering with legitimate business.

Justice Brandeis in the dissenting opinion exposed this fraud. He said:

"In 1919 the legislature of North Dakota concluded that its farmers were being systematically defrauded in purchases of their grain made within the State. The

buyers were largely local mills, of which there are 160, the local elevators, of which there are 2,200. The fraud was perpetrated, in part, by underweighing and undergrading in the unofficial inspection of the grain made locally by or on behalf of the purchasers. In part, the fraud was perpetrated by means of unconscionable bargains made locally, through which valuable dockage was obtained without any payment therefor or by which the grain itself was bought at less than its fair value."

The fraud in the argument of interfering with interstate commerce was soon further unmasked. Senator Capper and Representative Tincher of the "Farm Bloc" secured the passage of a law putting grain exchanges under the control of the Secretary of Agriculture. The amount of grain to be handled was limited by this act so as to prevent the same lot being sold over and over again in the market, and co-operative associations were to be admitted on a preferential basis. This law was challenged by the Chicago Board of Trade. As usual, the Constitution was invoked. Profits were in danger. In May 1922, the Supreme Court found this *Federal* law unconstitutional. Chief Justice Taft declared that trading in grain is not an act of interstate commerce and that Congress has no right to regulate "future" trading. Thus, when an attempt was made to check the capitalist robberies by North Dakota, the Supreme Court held that grain entered interstate commerce as soon as it was placed in a wagon going to market, and that therefore, the State Legislature did not have the power to control it. Later, when the attempt to check the capitalist robberies came from a Federal source the Supreme Court decided that trading in grain, when it takes on the form of "wildcatting" on the exchange, is not an act of interstate commerce. In both cases there was but one issue—the right of the capitalists to exploit the working farmers. In both cases the Supreme Court upheld this right, though it had to make a complete right about face to do so. This is the highly

profitable justice to which the American working and farming masses are being treated.

D. COURTS PREVENT INVESTIGATION OF PROFITS

Occasionally the fabulous profits of the capitalists become public and a demand for lower prices follows. To meet this demand by hushing it, the Government proceeds to investigate the industry in question. In this educational effort the Government is tied up hands and feet by the courts. Recently the Federal Trade Commission attempted to investigate the steel corporations. The Commission charged that the steel companies were in a gigantic combine to maintain high prices and that their conduct was to a large extent responsible for the widespread depression. This investigation was stopped by the Steel Trust when it secured an injunction from Justice Bailey, on March 10, 1922, in the Federal Court of the District of Columbia. It was the same court that had prevented the investigation of the coal industry in the Maynard case. The Steel Trust howled that it could not afford to have its trade "secrets" exposed. The Court joined this chorus. And the workers had to go on giving the same swollen profits to the poor steel corporation!

E. THE COURTS PROTECT THE WEALTHY CRIMINALS

Justice is reputed to be blind. This is true only in so far as the meting out of punishment for crimes committed by capitalists is concerned. But blind as this justice is, the judges usually see to it that capitalist offenders should go unpunished, as the New York State Lockwood Housing Committee pointed out:

"Judges, both in the State and Federal Courts, have almost consistently treated this class of offenders, with tender consideration. In one case in the State court, in which the manufacturers of brick and dealers in

building materials were proved guilty of most overt acts, constituting willful frauds upon the public, the court allowed all the defendants to escape with fines.

*"The court in that case expounded the extraordinary view that because of the business and social station of these men the humiliation of being compelled to plead 'guilty' to a crime and the imposition of comparatively small fines upon them was a sufficient punishment. The same point of view seems to prevail with the Federal Judges. There is no hope of compelling obedience to these laws or of enforcing them so long as the courts adopt this attitude."*³⁾ (Our Italics).

The social position of the capitalist—that is his unimpaired right to continue exploiting the workers—must be maintained at all costs. Anent this condition, Samuel Untermyer has thus said:

"The action of the court today in refusing to impose prison sentences upon the conviction of Hetterick as a second offender and of his co-conspirator Wither-spoon—a man of great wealth who is the President of Baker, Smith and Company, the greatest manufacturing concern in its line in the United States, that does a business of many millions annually throughout the country—coming as it does as the culmination of a long list of like occurrences in the State and Federal courts, has destroyed all hope of enforcing these laws as criminal statutes.

"Here was a case that developed the most vicious and corrupt features of coercion, fraud and moral turpitude, in addition to violations of the anti-trust laws, that could well be convicted. The head of the greatest manufacturing concern of its kind deliberately conspired with Hetterick to force unwilling competitors into an illegal combination to destroy competition and

3) From the Report of the New York State Legislature Lockwood Housing Committee.

to hold the public by the throat, using union labor leaders as pawns in their game by threatening to ruin employers by withholding labor from them unless they became parties to this unholy alliance.

"Not even our schoolhouses then in the process of erection were immune from the matched bids and other fraudulent practices that constituted the machinery through which these swindles were perpetrated. A sneak thief's business is a gentlemanly occupation by comparison with what these buccaneers did.

"The trouble has been and is that after months of effort in each of these cases and the expenditure of large sums of money, and after securing prompt convictions, the courts refuse to punish this class of offenders."⁴)

When capitalists act in restraint of trade it is not a crime. At least, it is not a *punishable* crime. How can one expect a capitalist court to punish a capitalist criminal? The courts are part and parcel of the Government which is an organ to protect the employers and to crush the workers.

The Courts Are Against the Workers

President Benjamin Harrison once said: "*The principal function of the law is to keep the poor in subjection.*" This is the policy of our courts. This is the policy pursued by our courts with unfailing regularity.

A. THE COURTS ARE TOO EXPENSIVE FOR THE POOR

Even if Justice could be secured in the courts, even if the judges were not to function as agents of the employing class, the workers would find themselves at an extreme disadvantage in the American judiciary system. The great cost of litigation in the Federal courts is well known. These courts are beyond

4) From Letter by Samuel Untermyer, Counsel to the Lockwood Committee, to New York State Attorney General Newton, April 27, 1922.

the reach of the workingman. But the other courts are only less bad in this respect, as shown in the following typical case cited by the Carnegie Foundation investigation.

"Hundreds of thousands of men, many of them immigrants, have been unable to collect their wages honestly earned. . .

"Denial of justice is not merely negative in effect; it actually encourages fraud and dishonesty. . . Everywhere it abets the unscrupulous, the crafty, and the vicious in their ceaseless plan for exploiting their less intelligent and less fortunate fellows. The system not only robs the poor of their only protection but it places in the hands of their oppressors the most powerful and ruthless weapon ever invented."⁵)

"There exist today businesses established, conducted, and flourishing on the principle that as against the poor the law can be violated with impunity because redress is beyond their reach. It is this situation which allowed such unrestrained abuse of the laws regulating the assignment of future wages that a sort of quasi-slavery resulted, which brought the loan shark into being, and permitted flagrant usury to grow into a monstrous thing. . .

"Consider, for example, this actual case. A woman borrowed ten dollars in 1914, and for two years paid interest at 180 per cent. In 1916 a law was enacted fixing 36 per cent. as the maximum rate. The lender, by a device contrary to the Statute, compelled her to continue paying 156 per cent. interest. The law also provided that if excess interest were charged, the loan would be declared void by a suit in equity. The law was on the books. The court house was open, the equity court in session with its judge on the bench and its officers in attendance. All that was of no avail to her, for the law could not bring its redress until five dollars

5) Justice and the Poor, Bulletin No. 13, Page 9, Carnegie Foundation for the Advancement of Teaching, By Reginald Heber Smith.

was paid for service of process and entry fee, and ten dollars to an attorney to draw, file, and present the necessary bill of complaint. Fifteen dollars she did not have and, because of her condition, could not earn. For her there was no law."⁶)

B. THE COURTS ARE HARSH IN THEIR TREATMENT OF THE POOR

The judges, thru their very training and associations are prejudiced against the workingman. The title *judge* is similar to that of any other title signifying some degree of nobility. Once elected judge entitles one to the prefix "Judge" for the rest of his life, whether he remains so or not. The American employing class holds the courts in great esteem. The judges are taken into the highest confidence and company. This has its reflex in the attitude of the judges on the bench, as Senator Norris has said:

"I do not believe there is any man who can stick his legs under the tables of the idle rich every night and be fit the next day to sit in judgment upon those who toil."⁷)

Occasionally, in the heat of the struggle of the workers against their employers, the judges give vent to their real feeling about the workingmen. The following comment from Judge Tuttle in the course of his granting an injunction against the striking shopmen in Detroit, Michigan, is expressive of the employing class point of view entertained by our Judges. Said Judge Tuttle in reference to the striking shopmen:

"I wish the Government had police that I could send in men to patrol the streets of Saginaw and see that

6) Ibid, Page 10. The case cited is that of Mary ——— Vs. Star Finance Co., reported in full in 16 Boston, L. A. R. 12-14.

7) Senator Norris, Cong. Record, Vol. 62, No. 95, Page 5661, April 6, 1922.

honest men who want work are not denied the chance for the threats of bums who don't want to."⁸⁾

This Honorable Judge was so enraged by the challenge of the railway workers to the capitalists that he lost control of his vocabulary as well as his temper.

This attitude of hostility to the poor and loyalty to the rich is reflected in the difference between the severity of the sentences imposed upon the rich and those imposed on the poor. In a letter sent by Representative James A. Frear of Wisconsin to Secretary of the Treasury Mellon, on November 26, 1922, in protest against the Government's policy of refusing to punish the millionaire tax evaders, the Congressman wrote:

"I may be old-fashioned concerning notions of even-handed justice, but I wrote you before in my letter of October 29 that Justice Stafford, of Washington, had sentenced a boy the day before to 10 years' hard labor for attempting to pick a pocket. In a New York despatch of November 9, Judge Talley is reported to have sentenced Louis Wiley to 15 years' imprisonment for attempting to steal a purse containing 32 cents. Those now trying to escape tax penalties on a \$437,000,000 surplus would require many centuries, reaching back to the Stone Age, if Talley was keeper of the Treasury and a proportionate term penalty was imposed."⁹⁾

No one need have fears. Such sentences are not imposed on the capitalists. The millionaires have robbed the Government of hundreds of millions of dollars. The Government has not only refused to punish them, but many of its most important agents have even aided and abetted the thefts.

Compare the kind treatment accorded the rich criminals for interfering with the lives of hundreds of thousands of people,

8) Quoted in "Labor", July 29, 1922.

9) Cong. Record, Vol. 63, No. 8, Page 302, November 28, 1922.

as reported by the New York Lockwood Committee, with the brutal treatment accorded the workers who attempted to save the lives of hundreds of thousands of Americans during the war. In the dissenting opinion of the United States Supreme Court in the Abrams case, Judge Holmes declared:

"In this case sentences of twenty years' imprisonment have been imposed for the publishing of two leaflets that I believe the defendants had as much right to publish, as the Government has, the Constitution of the United States now vainly invoked by them. . . . I regret that I cannot put into more impressive words my belief that in their conviction upon this indictment the defendants were deprived of their rights under the Constitution of the United States."

C. THE COURTS PERMIT THE CAPITALISTS
TO CRUSH THE WORKERS

The Pennsylvania Railroad was the leader of the strike-breaking Association of Railway Executives. The Pennsylvania Railroad was the leader of the anti-union campaign on the railways. On July 26, 1921 the Railroad Labor Board handed down Decision No. 220 in which it held that the Pennsylvania Railroad

"was not justified in its refusal to let the men vote for an organization to represent them. The men had as much right to vote for a representative not in the employ of the company as the carrier had to select a representative who was not a director or an officer of the road."¹⁰⁾

The Railroad company refused to abide by the decision of the Railroad Labor Board ordering a new election. The Pennsylvania secured an injunction from Judge Landis restraining

10) Bulletin of the U. S. Bureau of Labor Statistics No. 303, Use of Federal Power in Settlement of Railway Labor Disputes, Page 94.

the Labor Board from publishing its decision. Months went on before a final decision was reached on this matter. Then Federal Judge Page came to the rescue of the Pennsylvania with a favorable decision. The case was continued and on July 30, 1922, Circuit Judges Baker, Alschuler and Evans handed down a decision nullifying the Landis injunction. Early in 1923 the Supreme Court ruled that the Labor Board had a right to publish its decisions but could not enforce them. But such long periods of litigation serve as screens behind which the capitalists hide their labor-crushing campaigns. In the meanwhile the workers pay very dearly for the diligence of the courts in search for a "fair" decision. Said Mr. B. M. Jewell of the Railway Employees' Department of the American Federation of Labor.

"But what court, what Federal tribunal can recompense the Pennsylvania men and their families for the great hardships which they have had to undergo and may have to endure until a final decision is rendered. They have seen their homes go because they could not keep up their payments. They have had to abandon other cherished projects because they were jobless or shamefully underpaid and, worst of all, their children have been deprived of adequate food at the most critical period of their lives. There is no redress for such hardships."¹¹⁾

During the Great Steel Strike of 1919, in the struggle against the Standard Steel Car Company, five workers were killed and several were wounded at Hammond, Indiana. These strikers were unarmed and were marching in a parade. The men who were killed and most of those injured were shot in the back by hired gunmen.

There was not even a grand jury investigation of the cold-blooded murder of workingmen. Only civil action was brought

11) "Labor," July 29, 1922.

against the capitalists. But the courts refused to proceed against the Standard Steel Car Company on the ground that its guards had been sworn in as special policemen and were therefore acting under the official orders of the Hammond municipal police. A special committee of trade-unionists is still seeking justice. The workers have been killed in cold blood. Their capitalist hangmen are free. The courts have so decreed it.

D. THE COURTS ACT AS STRIKEBREAKERS

Numerous decisions have been recently issued by courts forbidding all strike activities. We will cite only a few of the myriad of such cases.

In the case of *Robinson v. The Hotel and Restaurant Workers, Local No. 782* the Supreme Court of Idaho enjoined the stationing of pickets.¹²⁾

In Mahoning County, Ohio, the Court of Common Pleas ruled that the union is to be limited to the following proportion of pickets; twelve where there are 50 or more employed, a maximum of 6 in cases where there are employed between 25 and 50 workers, and a maximum of 4 pickets in places where less than 25 are employed. It ordered all pickets to register their names with the employers or contractors in order that the bosses might at all times know them.¹³⁾

In the New Jersey Court of Errors and Appeals Judge White rendered a decision in which he said:

"I am unable to conceive that 'picketing' (properly so-called) as applied to strike controversies is ever free from intimidation and obstruction, and I therefore think it is here properly enjoined under the specific term."¹⁴⁾

12) Supreme Court, Idaho, 207, page 132.

13) *Moore-Lamb Construction Co. vs. Amalgamated Sheet Metal Workers, et al.*

14) *Keuffel and Esser vs. International Association of Machinists, et al.*

In Louisiana, the City Court of Shreveport decreed that workers picketing a store with handbills or banners were guilty of disorderly conduct.¹⁵⁾

In West Virginia the Circuit Court of Ohio County issued an order against the displaying of banners, picketing, and employment of all means calculated

“to intimidate plaintiff’s employees, persons with whom plaintiff now has contracts or customers or intended customers of plaintiff.”¹⁶⁾

Again, in some instances the courts have denied the workers the right to join a union and punished them for doing so. Director of Public Safety McCandless of Pittsburgh ordered all city firemen to resign from the union or give up their jobs. Two firemen, Captain William S. Hutchinson and Lieutenant Filmore Taylor were dismissed for refusing to give up their membership in the Firemen’s Protective Association. They filed a bill in equity pleading for reinstatement. Judge Macfarlane dismissed their plea. He found that the union in question was affiliated with the American Federation of Labor, an organization which sometimes resorts to the use of the strike, and said:

“Membership of firemen in the Firemen’s Protective Association, as constituted, is inimical to the best interests of the public and detrimental to the efficiency and discipline of the service.”¹⁷⁾

And some courts go even further than this. Some courts punish the workers for striking against degrading working conditions and starvation wages. During the mine strike Federal Judge Charles D. Orr, in the Federal District Court at Pitts-

15) State vs. Dehan, et al.

16) Kalbitzer Packing Co. vs. Amalgamated Meat Cutters, Local Union No. 7, et al.

17) New York Times, October 21, 1922, page 2.

burgh, refused naturalization papers to workers simply because they were struggling against the tyranny of the mine operators. This Judge is quoted as saying: "Public sentiment is against the strike." One applicant who passed every test given him was told by this Justice, "Go back to work and I will grant you papers."¹⁸)

Solidarity of the workers is a crime in the eyes of the courts. When workers present a solid front in a strike, the strike is effective. The profits of the capitalists are then restrained by the workers who have stopped producing. In the eyes of the courts this is a restraint of trade brought on by the solidarity of the workers. The judges then order the workers to drop their solidarity on pain of being sent to jail. The profits must continue unrestrained. The strike must end and the workers must be restrained from effectively protesting against unspeakable working conditions and wages. Illustrative of this practice of the courts is the following declaration of Judge Wilkerson in granting the infamous Daugherty injunction:

"Defendants assert, as a ground against the granting of the relief sought by the complainant, that the strike was a defensive measure against a plot of the railway companies to destroy the unions. The argument seems to be that the defendants are justified in inflicting upon the public any injury which it may be proper for them to inflict upon their adversaries in this conflict. *Restraint of trade may not be adopted as a weapon in industrial warfare.* The court must act upon the case now before it and give its aid to the removal of the obstructions to commerce which are found to exist."¹⁹) (Our italics).

18) Quoted in "Labor," April 22, 1922.

19) Judge Wilkerson in United States vs. Railway Employees' Department, et al.

Thus did Judge Wilkerson turn his court over to the railway capitalists in their campaign to smash the unions and break the strike. Rob a union of its right to strike, under whatever pretense you see fit, and you rob it of its right to live. You destroy the working class organizations and enslave the workers. This is exactly what the court aimed at and got in the last railway strike.

The Supreme Court Leads the Attack on the Workers

The procedure of "judicial review" is an inherent feature of the theory and practice of American Government. Endowed with this power, our courts have exercised legislative as well as judiciary functions. He who has the right to declare a law null and void, he who has the right to interpret legislation, legislates as much as any legislature does.

The history of the Supreme Court and its role in the class struggle is a history of continuous enmity to the working class and unfailing service to the employing class. The nine men on the Supreme Court bench are endowed with virtually royal powers. The first two Chief Justices of the Supreme Court ruled from 1801 to 1864; John Marshall of Virginia, 1801-1835 and Roger B. Taney of Maryland, 1836-1864. These Judges ruled for a longer period and with a firmer hand than most kings do.

Many progressives, liberals, near-liberals and Socialists have vehemently protested against the "usurped powers" of the courts—particularly the Supreme Court. In this protest they are unjustified by the facts of history. The "Fathers" deliberately endowed the courts with the power of judicial review. Seventeen of the leading members of the Constituent Assembly meeting in Philadelphia in 1787 favored giving the courts power to pass upon the Constitutionality of legislation. This power was conceded in the early days of the Supreme Court.²⁰⁾

20) "The Supreme Court in United States History" by Charles Warren.

As early as 1792 the Supreme Court passed upon laws under the power of determining the constitutionality of legislation. In the case of *Hylton vs. United States*, in 1796, the Supreme Court upheld the constitutionality of a carriage tax enacted by Congress.

"It is extremely interesting to learn that this was a moot case, in which counsel on both sides was paid by the Government in order to obtain a decision as to the validity of the tax. In fact within two years after the Government began, the United States Circuit Courts held statutes invalid without arousing State hostility."²¹⁾

The object of the "Fathers" in granting this power of judicial review to the courts was plain. The "Fathers" were building a government which was to be as little democratic as it could possibly be without arousing the masses to action and effective protest against it. The granting of such powers to the judiciary was merely another step in this direction. John Marshall, the first king of the American judicial oligarchy, was opposed to democratic government. His hatred of the masses was evidenced in his two doctrines of Individualism and National Supremacy.

As early as 1802 the courts were being charged with exercising "usurped" powers. This was caused, however, not by a belief that the courts were exercising undue powers. This wave of protest had its origin in the struggle for power between the Federalists and anti-Federalists, a struggle reflecting a conflict of economic interests at stake in the role of the American Government in the then-raging Franco-British war.

Exercising this power granted to it by the "Fathers" the Supreme Court in its very first days began to serve the propertied class as against the non-propertied.

21) Raymond Leslie Buell, *N. Y. Times Current History*, Nov. 1922, page 223.

“The Supreme Court actively intervened to protect property rights. Under the old Articles of Confederation, State Legislatures passed stay laws postponing the payment of debts, changed the terms of contracts and compelled creditors to accept almost worthless paper money in payment of debt. One of the most important reasons for framing the new Constitution was to prevent these encroachments on vested rights and these violations of the fundamental rules of morality. Section 10 of the first article of the Constitution was framed with a view to checking such actions on the part of State Legislatures. . . .

“One of the first cases involving this clause concerned the ‘Yazoo Land Claims’. In this case the Georgia Legislature had been virtually bribed to give thousands of acres of public land to private companies. A succeeding Legislature nullified these grants on the ground they had been obtained by fraud. But the Supreme Court held that this repeal act impaired the obligation of the contract into which the first Legislature had entered. . . .²²⁾ *Fletcher v. Peck*, 6 Cranch, 87).

The development of the American judiciary system and the attacks on its powerful role in the class conflicts of the country reflect the development of American capitalism and the rise of the present ruling class—the employing class. Prior to the Civil War, when there was still an opportunity for the workers to rise to a higher social status and when the center of gravity in the class struggle was in the conflict between the petty-propertied man and the ever-growing group of huge-propertied interests, the attack on the Supreme Court was largely an attack in behalf of State Rights as against a strong National Government. After the Civil War, when the advocates of a strong National Government were victorious, when “State Right-

²²⁾ Ibid, page 225.

ism" died with the change in conditions, when the big capitalists were developing rapidly and increasing their power steadily, and when the center of gravity in the class conflict shifted positively towards the struggle between the workers and the employers, the attack on the Supreme Court became an attack on its attitude towards the workers, an attack on its stand regarding social legislation.

It was as early as 1802 that the attacks on this bulwark of the ruling class reflected the conflict of class interests. In 1808 there was a proposal to secure the removal of Judges upon the joint request of the House and the Senate. In 1824, 1827, 1868 there were proposals in Congress to limit the power of the Supreme Court in the matter of declaring laws unconstitutional by demanding a two-thirds or unanimous vote under these circumstances. Some recommended that the term of office be limited.

Some Recent Decisions

From a consideration of some of the recent decisions of the Supreme Court it is clear that the Supreme Court is the fountain head of American reaction, that it is the heart of the capitalist system of oppression as organized in the various local, State, and National Governments.

At the head of the Supreme Court today is a man, William H. Taft, who has been repudiated by the American workers in the election of 1912. This same Taft is, legally speaking, the father of the American injunction, the powerful weapon used by the capitalists against workers.

A. THE DUPLEX CASE

In the case of the Duplex Printing Press Company vs. Deering, *et al.*, the Supreme Court, in its decision rendered in January, 1921, dealt the workers of America one of the severest blows

ever received by them in conflict with their employers. The case arose out of a controversy between the International Association of Machinists and this corporation in Battle Creek, Michigan. The workers were striving to organize themselves into a union but the employers prevented them. Then the International Association took steps to compel the company to grant the workers their right to organize by striking back at the company thru the power of its organization in other parts of the country. Against these activities the company appealed to the courts. The Supreme Court then thus settled the matter against the workers.

“There is nothing here to justify defendants of the organizations they represent, in using either threats or persuasion to bring about strikes or a cessation of work on the part of employees of complainant’s customers, with the object of compelling such customers to withdraw or refrain from commercial relations with complainant.” (*Duplex Printing Press Co. v. Deering, et al.*, 254 U. S. 443).

This insures the success of the union-smashing campaign of the company. The Supreme Court further said:

“To instigate a sympathetic strike in aid of a secondary boycott cannot be deemed peaceful and lawful persuasion.”

The Court went on

“It is settled by these decisions that such a restraint produced by peaceable persuasion is as much within the prohibition as one accomplished by force or threats of force; and it is not to be justified by the fact that the participants in the combination or conspiracy may have some object beneficial to themselves or their associates which possibly they might have been at liberty to pursue in the absence of the statute.” (254 U. S. 467).

Thus, whether the workers use peaceful or other means to resist the attacks of the capitalists, these means become illegal when they are effective.

And the most effective means of resisting the encroachments of capitalists is for the workers to organize and present a solid front to their enemy. Such organization is, in the eyes of the Supreme Court, a conspiracy—a crime.

“The accepted definition of a conspiracy is ‘a combination of two or more persons by concerted action to accomplish a criminal or unlawful purpose, or to accomplish some purpose not in itself criminal or unlawful by criminal or unlawful means. If the purpose be unlawful it may not be carried out even by means that otherwise would be legal; and although the purpose be lawful it may not be carried out by criminal or unlawful means.’” (254 U. S. 443, 465).

The workers are hit by the courts from all directions. When the means used by them to beat back the attacks of their employers is lawful, then their purpose is declared unlawful. When their purpose is not declared unlawful, then the means are branded illegal.

Walter Gordon Merritt has well summed up the significance of this decision in *Law and Labor*, official organ of the “League for Industrial Rights”—an organization of conservative employers. He said:

“Class war is not a lawful occupation. Class solidarity is not an economic relationship which justifies concerted action by all members of that class to assist one of their fellows in fighting a member of another class.”²³⁾

The meaning of the Duplex Decision is: “*Workers of America, divide!*”

23) *Law and Labor*, June 1922, page 140.

The command of the Supreme Court is: "*Workers, don't stick together!*"

B. THE AMERICAN STEEL FOUNDRIES CASE

In 1914 this company with mills at Granite City, Illinois, applied for an injunction against the Tri-City Central Trades Council to restrain "picketing in every form and violence and threats." The District Court enjoined picketing on the ground that the pickets placed by the Council were neither representatives of strikers nor strikers themselves. They were branded as "wanton intermeddlers." In the U. S. Circuit Court of Appeals this decision was overruled, in a declaration that peaceful picketing is lawful. Then the Supreme Court overturned this decision. On December 5, 1921, it declared that that which is properly called picketing cannot be called peaceful and that therefore *all picketing* is, properly speaking, *unlawful*. Mr. Merritt thus saw the meaning of this decision:

"A notable fact is that the decision rendered by Mr. Chief Justice Taft was concurred in by all the court except Mr. Justice Clark. It holds that picketing, as it is commonly understood and practiced, is *inherently unlawful* and it is properly enjoined by name."²⁴)

This ukase against picketing was hurled at the workers in these words:

"The name 'picket' indicated a militant purpose, inconsistent with peaceable persuasion. The crowds they drew made the passage of the employees to and from the place of work one of running the gauntlet. Persuasion or communication attempted in such a presence and under such conditions was anything but peaceable and lawful. When one or more assaults or disturbances ensued, they characterized the whole cam-

24) Ibid, page 141.

paign, which became effective because of its intimidating character, in spite of the admonitions given by the leaders to their followers as to lawful methods to be pursued, however sincere. Our conclusion is that picketing thus instituted is unlawful and cannot be peaceable and may be properly enjoined by the specific term because its meaning is clearly understood in the sphere of the controversy by those who are parties to it.

"We think that the strikers and their sympathizers engaged in the economic struggle should be limited to one representative for each point of ingress or egress in the plant or place of business and that all others be enjoined from congregating or loitering at the plant or in the neighboring streets by which access is had to the plant, that such representatives should have the right of observation, communication and persuasion but with special admonition that their communication, arguments, and appeals shall not be abusive, libelous or threatening, and that they shall not approach individuals together but singly, and shall not in their single efforts at communication or persuasion obstruct an unwilling listener by importunate following or dogging his steps.

"We are a social people and the accosting of one another in an inoffensive way and an offer by one to communicate and discuss information with a view to influencing the other's action are not regarded as aggression or a violation of that other's rights. If, however, the offer is declined, as it may rightfully be, then persistence, importunity, following and dogging become an unjustifiable annoyance and obstruction which is likely soon to savor of intimidation. From all of this the person sought to be influenced has a right to be free and his employer has a right to have him free." (The American Steel Foundries Company v. Tri-City Central Trades Council). (42 U. S. Sup. Ct. 72).

This decision takes the heart out of picketing as a weapon of the workers in the class war against their employers. It brings

into bold relief the brutal class dictatorship oppressing the workers. Never has there been a decision telling employers how many strikebreakers or gunmen they are to hire. There is not a single court ruling prohibiting strikebreakers or gunmen from insulting, intimidating, and killing the workingmen. When it comes to murdering workers there is no talk of "importunity." Then there is no talk about where the gunmen should stand when they shoot the workers. The courts have not deigned to interfere with such activities. And we are "a social people"!

In this decision the Supreme Court has given but one command to the workers. This command is: "*Workers, don't fight together!*"

C. TRUAX v. CORRIGAN

By a vote of 5-4 the Supreme Court, on December 19, 1921, overruled the Arizona Supreme Court and declared unconstitutional an Arizona State Law based on the Clayton Act and limiting the use of injunctions.

During a strike pickets were posted at a restaurant. They carried banners reading: "*All ye who enter here leave all hope behind.*" They distributed circulars telling about the "*graveyard stews*" served inside. The employers carried the case to the Supreme Court on the ground that the State Law was unconstitutional. The Supreme Court upheld the employer and decreed:

"The defendants conspired to injure and destroy plaintiff's business by inducing his heretofore willing patrons and his would-be patrons not to patronize him and they influenced them to withdraw or withhold their patronage....Plaintiff's business is a property right and free access for employees, owner, and customers to his place of business is incidental to such right....

"A law which operates to make lawful such a wrong as is described in plaintiff's complaint deprives

the owner of the business and the premises of his property without due process and cannot be held valid under the Fourteenth Amendment." (42 U. S. Sup. Ct. 124).

Apropos of this decision, the well-known advocate of capitalist interests, Walter Gordon Merritt, declared:

"The Court held that the State's duty did not end with the maintenance of peace and good order and it may not withdraw protection from a property right merely because the injury is not caused by violence.

"A political commandment had been thundered from the greatest tribunal in the world to the legislatures of 48 States, '*Thou shalt not deny protection to business*'."²⁵⁾ (Our Italics).

Violence or no violence—effective resistance to the capitalists is a crime in the eyes of the Government of the employing interests. The third Commandment of the Supreme Court was "*Workers, don't fight successfully!*"

D. THE CORONADO DECISION

The crowning blow administered to the workers by the Supreme Court came in the decision rendered on June 5, 1922, in the case of the Coronado Coal Co., *et al*, v. The United Mine Workers of America. The union was sued by the mining companies for damages incurred to their properties by a strike. The Circuit Court of Appeals of the Eighth Circuit found for the employers and ordered the Union to pay \$200,000 to the plaintiff. To this was added \$25,000 counsel fees to the lawyers—the very same lawyers who prosecuted the Danbury Hatters' Case. The damages were trebled in accordance with the provisions of the anti-Trust law and \$120,000 accumulated interest

25) Ibid, pages 140-141.

was piled on to make the total liability of the Union \$745,000. On appeal the case reached the Supreme Court which found that:

1. The fact that a union is unincorporated does not make it immune from action under the anti-trust laws.

2. Unions are subject to such legal action when their conduct interfering with the business of the employer is of such a character as to interfere with interstate commerce.

3. That international officers are not necessarily responsible for acts of violence committed in local strikes.

The court held that in this case the International was not responsible. It held District 21, United Mine Workers of America responsible and went out of its way to express regrets that the International could not be made to pay the employers because of the Judges' inability to connect it with the objectionable incidents in the strike in Arkansas. The Supreme Court went on to say:

"The circumstances are such as to awaken regrets that in our view of the federal jurisdiction, we cannot affirm the judgment.

"In this state of federal legislation, we think that such organizations are suable in the federal courts for their acts and that funds accumulated to be expended in conducting strikes are subject to execution in suits for torts committed by such unions in strikes.

"The membership of the union has reached 450,000. The dues received from them for the national and district organizations make a very large annual total, and the obligations assumed in travelling expenses, holding conventions, and general overhead cost, but most of all in strikes, are so heavy that an extensive financial business is carried on, money is borrowed, notes are given to banks, and in every way the union

acts as a business entity, distinct from its members. No organized corporation has greater unity of action, and in none is more power centered in the governing executive bodies. . . .

“It would be unfortunate if an organization with as great powers as this International Union has in the raising of large funds and in directing the conduct of 400,000 members in carrying on, in a wide territory, industrial controversies and strikes, out of which so much unlawful injury to private rights is possible, could assemble its assets to be used therein free from liability for injuries by torts committed in the course of such strikes. To reward persons injured to a suit against each of the 400,000 members to recover damages and to levy on his share of the strike fund, would be to leave them remediless.”

The Supreme Court went out of its way, in the *obiter dicta*, to begrudge the growth of the United Mine Workers.

This decision is to the American workers what the Taff-Vale Decision was to their English brothers. This fiat decreed that an unincorporated union may be sued and be held fully responsible for injury to property arising from a strike. Thus was the Clayton Act—the Gompers Magna Charta of the American workers—wiped away completely. Coupled with the Hinchman ukase of the Supreme Court that a union cannot wage a campaign of organization amongst workers who have been forced to sign individual contracts, it deals a death blow to the trade unions of the country.

E. THE CHILD LABOR DECISION

But the Supreme Court's lust for service to the employing class is not satisfied by merely oppressing the grown-up workers. On May 15, 1922, the Supreme Court declared unconstitutional, for a second time, a child labor law enacted by Congress.

In 1916 Congress passed a law enjoining the transportation in interstate commerce of manufactured goods not removed from the factories where children under fourteen were employed, or children who worked more than eight hours a day or after 7 at night or before eight in the morning.

In the case of *Hammer v. Dagenhart*, 247 U. S. 251, the Supreme Court in 1918 declared the law unconstitutional. It found that the law was in violation of the Tenth Amendment, for it interfered with the rights of the States and the people as specified in this amendment.

Then, in 1919 Congress enacted a law levying a tax of one tenth of the net profits on manufacturers who, during any portion of a taxable year, knowingly employed children under fourteen years of age, or children from fourteen to sixteen for more than eight hours a day, or more than six days a week, or after 7 P. M. and before 8 A. M. Under this Statute the Drexel Furniture Company of North Carolina was compelled to pay \$6,312.79. The District Court ordered the tax returned to the company. The case was finally brought to the Supreme Court which held that this law is invalid because it

“....Provides a heavy exaction for a departure from a detailed and specified course of conduct in business. . . . There comes a time in the extension of the penalizing features of the so-called tax when it loses its character as such and becomes a mere penalty with the characterization of regulation and punishment. Such is the case of the law before us.”

The rights of the States must be preserved when it comes to preventing the ruthless exploitation of child labor. But these same State rights vanish when troops are to be sent in to crush strikes. The rights of the States are supreme when the law of profits demands it; the rights of the States fade in the background

when the interests of the workers are involved. This is the brazen ruling of the bulwark of American capitalism.

Conclusion.

The Supreme Court is an inherent feature of the whole American Governmental system. It is the apex of the American State—the Government of the bosses, by the bosses, for the bosses. and against the workers. It is one of the most deadly weapons used by the employers against the workingmen. It is the most effective strikebreaking machine of the country. The history of the Supreme Court and the American courts in general is a history replete with oppression of the workers, with unutterable crimes committed against the workers, and with inestimable service to the capitalists.

The courts, an integral part of the United States Government, are the mortal enemy of the working class.

CHAPTER VIII.

"GOVERNMENT BY INJUNCTION"

"If the jails of Indiana are not large enough to hold the men who violate these injunctions, then we shall build stockades." Judge Baker sitting in the Federal Court at Indianapolis.

Historical Background.

THE injunction, as a weapon of class warfare, is distinctly American. Thruout the entire history of the British Courts of Chancery, the parents of our courts of equity, there were granted but two restraining orders against workingmen in their struggle with employers. The first case was that of the "Springhead Spinning Company vs. Riley" in 1867 restraining workers from publishing notices advising other workingmen as to the why and wherefore of their strike. This decision was nullified by the highest British Court in 1873. In 1900 there was issued the second and last English injunction against workingmen—the Taff-Vale Decision. This order enjoined the Amalgamated Society of Railway Servants "from persuading or otherwise endeavoring to prevent persons from working for the plaintiff, etc., etc." The Court of Appeals reversed the decision but the British Supreme Court, the House of Lords, subsequently upheld it. This led to a country-wide protest manifested in the rapid strengthening of the present powerful British Labor Party and in forcing the English Parliament to overrule the House of Lords by passing the Trades Dispute Bill.

Our First Injunctions.

A Massachusetts court issued the First American injunction in 1888 on the basis of the English Springhead Spinning Company Case. In this case of *Sherry vs. Perkins*, the Court enjoined the strikers from “the act of displaying banners with devices as a means of threats and intimidation to prevent persons from entering into or continuing in the employment of the plaintiffs.”

At about this time, the workers were manifesting growing signs of awakening. They were developing their unions to menacing proportions. The Knights of Labor had risen to the zenith of its power, over 600,000 members in 1886. The American Federation of Labor was also organized the same year. This growing class-consciousness of the workers had its counterpart in an intensified class-consciousness of the capitalists. The class struggle was being steadily sharpened. This injunction served as the pilot in the discovery of their capitalist “conscience” by the courts. Since then this employing class “conscience,” like the “king’s conscience” in feudalism, residing in the judicial lords, has caused countless ravages among the workingmen and has brought unlimited advantages to the employers. Numerous injunctions came in the wake of the Massachusetts order.

In 1890 came the injunction against the Typographical Union No. 3 of Cincinnati, enjoining the local from continuing a boycott. In the *Coeur d’Alene Strike* of 1892 Federal Judge Beatty issued an injunction in the Circuit Court of Idaho. This was followed March 11, 1893, by the order issued against the railway workers by Judge Ricks in the Federal Court, Northern District of Ohio. The comment of this judge is particularly enlightening. It completely portrays the emergency character of this procedure in meeting capitalist class interests. Judge Ricks declared:

"It is said the orders issued in this case are without precedent. Any just order, or rule known to equity courts was born of some emergency to meet some new conditions, and was therefore in its time without precedent. If based on sound principles and beneficent results follow their enforcement affording necessary relief to the one party without imposing illegal burdens on the other, new remedies and unprecedented orders are not unwelcome aids to the Chancellor to meet the constantly varying demands for equitable relief."¹⁾

One of the "beneficent results" of this case was the imprisonment of an engineer who had refused to obey the ukase.

One week after this order, came an even more sweeping injunction by Wm. H. Taft, then Judge of the United States District Court of Southern Ohio. It prohibited the Brotherhoods of Locomotive Engineers and Locomotive Firemen from taking any steps whatsoever in accordance with their constitution or otherwise in refusing to handle freight cars of the Toledo & Ann Arbor Railroad Company.

These were the injunctions forming the precedents upon which the numerous restraining orders against labor were based. The history of the class struggle in America after this date is replete with casualties suffered by the workers thru injunctions.

The Injunction as a Weapon of Class Warfare.

In the olden days in England the Courts of Equity or the injunction Courts were in the hands of the Lord Chancellor. He was the keeper of the "king's conscience." Today, the equity or injunction courts are in the hands of the Judge. Today, Capital is king. The capitalist class is the ruling class. And the Judge is now the keeper of the capitalist's "conscience."

The injunction judge is totally unrestrained in his role of restraining the workers. Existing statutory provisions, precedents,

1) Quoted by John P. Frey in "The Labor Injunction," page 14.

constitutional declarations, do not matter a straw. Only the capitalist's "conscience" counts. The punishment is swift and sure. The delay arising from trial by jury is done away with. The jury trial is denied.

When a blow is struck at the workers thru an injunction the punishment accorded the guilty is double. First, the workingman is punished for violating the injunction. Then he is punished for committing the "crime". This is the way the capitalists apply the principle of "an ounce of prevention is worth a pound of cure" when they settle the question of curing the worker of class-consciousness. Judge Henry Clay Caldwell, formerly presiding in the Eighth Circuit of the United States Circuit Court of Appeals, has well characterized the injunction in the following:

"It enforces and restrains with equal facility the criminal laws of the State and Nation. With it the judge not only restrains and punishes the commission of crimes defined by statute, but he proceeds to frame a criminal code of his own, as extended as he sees proper, by which various acts, innocent in law and morals, are made criminal; such as standing, walking or marching on the public highway, or talking, speaking, or preaching and other like acts. In proceedings for contempt for alleged violation of the injunction, the judge is the lawmaker, the injured party, the prosecutor, the judge and the jury. It is not surprising that uniting in himself all these characters he is commonly able to obtain a conviction. While the penalty which the judge can inflict by direct sentence for a violation of his code is fine or imprisonment, limited only by his discretion, capital punishment may be inflicted by indirection. All that seems to be necessary to this end is to issue a writ to the marshal or sheriff commanding him to prevent a violation of the judge's code, and the men with injunction nooses around their necks may be quickly dispatched if they attempt to march across the injunction deadline....

"Jury and injunction are terms which cancel each other.

"In proportion as the injunction is expanded, the right of trial by jury is restricted. And this result is not a mere incident to the use of the writ; in many cases its real purpose is to deprive a party of a right of a trial by jury.

"Armed with this powerful writ, which has no definite boundaries or limitations, and which may be used at discretion, the power—the federal chancellor—may be fairly characterized as imperial."²⁾

A strike is a challenge to the *status quo* of property relationships—the existing system of the exploitation of the workers by the capitalists. A strike is a disturbance of the civil peace. A strike is a declaration of war by the workers against the right of the exploiters to rob them of the products of their toil. As the working class increases in numbers and solidarity the class struggle becomes sharper; the system of property relationships becomes more and more disturbed by every strike; every strike tends to assume larger dimensions; working class consciousness tends to be diffused over ever-increasing sections of the masses; and the Government is inevitably called upon with a persistently increasing frequency to fulfill its role of perpetuating the *status quo* of class relationships.

When a strike, the embryo of insurrection against the existing system of class relationships, assumes proportions of a nature challenging in the least the system of capitalist exploitation and oppression, the employers abrogate the civil law, the law governing the class relationships during the armistice in the class war. They declare a state of siege. They declare martial law. The injunction against workers in struggle with their employers is an act of military siege in the arena of class relationships. It robs the workers of the right to trial by the or-

2) Quoted Ibid pages 75-76.

dinary procedure. The judge becomes the military officer acting as the prosecutor, the jury, and the injured party. The menace to the capitalist interests is then so fundamental that the judge throws off his mask of impartiality, and poses as an open representative of the employer whose interests have been injured by the revolt of the workers against his right to exploit them unmercifully.

The full force of the Government is brought to bear on the workers. The revolt is crushed. Whatever advantages the workers may have had in the suddenness of their attack, whatever advantages they may have had from the first successes in the skirmish, from their solidarity are nullified. The workingman's strike army is ordered disbanded, dispersed if necessary by the force of arms. Working class solidarity is declared a crime against the “public”! The officers of the workers' army are branded as ~~rebels~~; they are court-martialed by the military tribunal of one judge. The revolt against the exploiter is crushed. The strike is broken. The challenge to the authority of the profits system—the Government—is disposed of swiftly and decisively. Profits are saved. The workingmen are beaten. This is a picture of the class war today in America. The role of the injunction is to break the strikes by bringing up against the workers the heavy artillery of the capitalists—the undivided military, judiciary, and financial support of the Government, in short the full political power of the ruling class.

The increasing use of the injunction gives the lie to the impartial role assigned to the Government by the labor bureaucrats. It gives the lie to the theory that the American workers can have the slightest faith in their Government when class interests are involved. The injunction completely unmasks the dictatorship of the employing class over the workers.

The Daugherty Injunction.

During 1922 came the wave of resistance to the open shop drive. Over 1,500,000 strikers participated in the strikes called to repel the mad onslaught of the capitalists in their union-smashing and wage-cutting drive. The huge strikes—particularly the national textile, mine and railway struggles—generated a magnificent spirit of solidarity amongst the workers. They were beginning to see thru things and especially thru the fraud of governmental impartiality and the snare and delusion of capitalist democracy. Though these strikes were not revolutionary in the sense of being a direct challenge to the Government, yet they were a great menace to the continuity of the flow of dividends. In this way they bore within themselves the germ of the destruction of the supreme capitalist authority founded on the continuity of dividends—the capitalist political power. Preparing to crush the workers, the Government exaggerated to the *n*th degree the revolutionary character of these struggles. The charge that these battles were against the Government were true only indirectly, in the sense that they were against the employing class. But utilizing this pretense the Government proceeded with more arrogance and viciousness against the workers. Preliminary to the injunction of September 1, Daugherty organized a raid on the Communists—the militant workers who understand the true strikebreaking role of the Government in the class war and who advocate a policy of complete working class emancipation from the yoke of capitalist exploitation and the tyranny of employing class government. The attack on these workers was merely a covert attack on unionism. Hundreds of thousands of workers realize this, as shown by the following opinion of the *Locomotive Engineer's Journal*:

“Without any warrant or shadow of legal authority, and in plain violation of the terms under which the

Department of Justice secures its appropriation from Congress, Mr. Daugherty sent his sleuths up into Michigan to pounce upon a group of workers who were quietly holding a private meeting near the city of St. Joseph. He gives the same excuse for this abuse of power, namely, that these union men are 'dangerous radicals'....

"If Attorney General Daugherty can clap them into jail, because he does not like their opinions, he can practice the same outrage on any group which incurs his displeasure."³⁾

And the *New Majority*, official organ of the Chicago Federation of Labor, goes on to say:

"Now more than ever is it plain that the cause of the raids is the concern of the labor movement, and that an attack on 'reds' is a covert attack on Unionism."

One week after this raid, one week after the press of the country was painted red with the terrible horrors of the havoc brought on by the railroad workers who were branded communists, revolutionists, and scores of other names abhorrent to the oppressors of the workers, the Government secured its infamous injunction. This Daugherty injunction was the most drastic example of "preventative legislation" in the history of the class struggle in America. It marked the highest point of development in the entire injunction system. It established martial law against the railway workers and subjected the strikers to a state of rigorous military siege. All talking, publishing, financing, organizing, picketing, and every other conceivable form of strike activity was prevented by the Government on the threat of using the army against the workers. This injunction was only the first of a series of gigantic moves to crush the workers' resistance to the capitalists. Anent this, the *New York Sun* declared:

3) Locomotive Engineers' Journal, Nov. 1922, page 310.

"The United States Government, it was conceded today, has come face to face with the necessity of enforcing the order of its own court and of defying organized labor to disobey the orders of the judiciary. That the Government is determined to force the whole issue to a showdown and to use all its powers, including that of the military, to sustain the injunction order granted by Judge Wilkerson in Chicago yesterday has been made known both at the White House and at the War Department."⁴)

Daugherty's policy was summed up in the following instruction sent by him on the eve of the injunction to all Federal District Attorneys:

"In cases where injunctions have been violated you are instructed under direction of the court to promptly and vigorously prosecute the violators and urge the court to make sentences sufficiently severe to prevent repetition of such violations and as a deterrent to others."

And in his address at Canton, Ohio, on October 21, 1922, Daugherty heralded his injunction as an attempt to save the freedom of the strikers. He asked:

"Is it not better to have men again at work, as they now are, than confined in jails, as many of them would be had this injunction not been issued?"

Provisions of the Injunction.

The injunction against the railway workers prohibited them from:

1. Interfering with or hindering in any manner or obstructing the railroads in the operation of their systems of transportation.

4) The New York Sun, September 2, 1922.

2. Interfering with any one from freely entering into or continuing in the employment of the railroad companies.

3. Conspiring to annoy employees of railroad companies; from making threats to workers; jeering or taunting employees.

4. Loitering on railroad property, or trespassing upon the premises of the railroads.

5. Inducing or attempting to induce any person to leave the employ of the railroads.

6. Engaging in picketing.

7. Congregating for the purpose of encouraging or furthering the strike.

8. Encouraging strikers or directing by letters, phones, interviews in newspapers, or in any manner whatsoever conducting the walkout. On this point the petition asks that the union officials be restrained from issuing any instructions, requests, public statements or suggestions in any way to any defendant or to any official or member of any of the associated labor organizations with reference to their conduct subsequent to their abandonment of the employment of the railway companies.

9. Use of funds of the union in the conduct of the strike.

The above nine commandments were applicable to every workingman who might conceivably be connected in the most inconceivable way with the strike activities. This ukase of the United States Government in whose name the injunction was secured and whose Attorney General acted in the Court as the chief counsel for the railway corporations can be summed up in a tenth commandment: "The strike must be broken. The Open Shop must be supreme!"

Ravages of the Injunction.

This injunction is the most drastic ever obtained in the courts of America. It is the most far-reaching and brazen piece

of open-shop and outright anti-union propaganda ever issued by any capitalist publicity organization, employers' association, court, or Government, or any other strikebreaking agency. This injunction is the last word that the American employing class dictatorship has spoken in the class struggle. It is a challenge to the workers to wake up and kick and kick hard.

What crimes have the railway workers committed to be denied every possible right of free speech, press, assembly, association, communication, intercourse, suggestion, and barest existence? Has any brutal warden in the darkest of dungeons ever worked out more sweeping and more stringent prohibitions for his most dangerous criminals? The United States Government, formally acting in behalf of all the people, actually serving the interests of the powerful capitalists, has in this injunction decreed that the railway workers be denied the right to strike. It has robbed the workers of every vestige of liberty that is still supposed to be left to the American workers under the Constitution. This injunction is a declaration of formal obsequy over the right to strike. It makes impossible every possible strike activity.

Within two months after the issuance of this strikebreaking fiat scores of workingmen were thrown into jails or fined throughout the country. In Oregon three were arrested. Forty were taken in Wisconsin and an equal number in Nebraska. By November 15, 107 were arrested in the Chicago district alone. In California eight railway workers were found guilty of a conspiracy against the United States. In Jacksonville, Florida, United States Judge Call ruled, on November 25, 1922, that the section of the Clayton Act providing for a trial by jury in cases of alleged violations of injunctions was unconstitutional and that the striking shopmen could not therefore get a trial by jury. And this is only a very partial toll of the casualties suffered by the workers in the form of jail sentences and fines.

The Capitalists Are Desperate

The crime committed by the workers was that of striking and striking well. The workers were guilty of solidarity—class solidarity. And working class solidarity has been looked upon by employers and their agents, their Governments, their press and their defenders as a conspiracy. In the eyes of the exploiters, this is the most infamous and dangerous crime—a conspiracy against their profits.

Most of those whose “right to work” our strikebreaking Government was protecting were criminals. From the official admission of the police authorities in the very city where the injunction was born, Washington, we get the facts. Said Inspector Clifford L. Grant on September 28, 1922:

“We believe that the recent series of burglaries, hold-ups and other crimes is due largely to the influx of tough characters who have been strikebreakers in railroad shops.”

And yet the press told us that the injunction was issued to safeguard law and order!

The injunction was issued to break the strike of honest workingmen for a right to wages of minimum subsistence, for a right to maintain their unions, and to work under conditions less unutterable. This is a crime in the eyes of the capitalists. It becomes a particularly heinous crime in the eyes of the employing class Government when the fight against the capitalists is fraught with the danger of workers’ success. In the case of the railway strike the danger was great. The capitalists themselves, though in this instance they were the most powerful ones in the country, could not break the strike without the undivided support of the Government. The solidarity of the striking workers was magnificent. Naturally then the conspiracy against the whole capitalist class in the United States, as personified by the

National Government, was outrageous. But the words of condemnation used by DeWitt Cuyler of the Railway Executives, by Daugherty, who in his injunction speech protested four times that he was not "appearing as an attorney for the railway executives," and by Judge Wilkerson give away the solidarity of interests lined up against the workers—the conspiracy against the workingmen.

Said DeWitt Cuyler in his reply to B. M. Jewell's telegram of June 27th:

*"If you strike it will be against an order of a Governmental tribunal. It will be a strike against the Government of the United States."*⁵⁾ (Our Italics).

Said Attorney General Daugherty representing the Government in his injunction plea against the railway unions:

"But it may be understood that so long and to the extent that I can speak for the Government of the United States, I will use the power of the Government of the United States within my control to prevent the labor unions of the country from destroying the open shop." (Our Italics).

Finally the injunction Judge Wilkerson declared in the statement of the Court:

"The defendants, dissatisfied with said rulings of the Labor Board, entered into a combination and conspiracy to disregard it, and to quit the service of the railroad companies in a body at one and the same time, as a protest against the contempt for said decision of the Labor Board of the Government of the United States."

Nor was Justice very blind in this case. As soon as Daugherty finished his brief for the railway employers, the Justice made haste to pronounce:

5) American Railroads, July 13, 1922.

“I do not deem it necessary to take this matter under advisement. The questions involved are so fundamental to the preservation of our Government that the restraining order asked for will issue at once.”

At least the Judge had the courage to admit publicly, that in such cases where the complaint is against workingmen he did not take fundamental matters under repeated advisement, if under any at all.

Subsequently, 287 of the affidavits submitted by Chief Counsel Daugherty for the Association of Railway Executives in support of the violence claims were thrown out of court as worthless scraps of paper by this Judge himself. This condition was well estimated by the late U. S. Senator “Tom” Watson, of Georgia, when he said:

“As I read the testimony, I could not help thinking that there was not an intelligent justice of the peace from Texas to Georgia and from Georgia to Maine who would not spurn that character of evidence and say that it had no business in court.”⁶⁾

Most of this evidence was prepared by the notorious labor-hating detective Wm. J. Burns, a past master in the art of fraud.

But the injunction was an urgent necessity. For Daugherty admitted that because of the strike the railways were unable to render service. The workers must be punished for the crimes of the capitalists. In order to meet this pressing capitalist need our much-vaunted Constitution and the following laws were totally disregarded and the decree of martial law—the injunction—issued.

1. Amendment I of the Constitution: “Congress shall make no law respecting an establishment of re-

6) The late “Tom” Watson, U. S. Senate, September 13, 1922.

ligion or prohibiting the free exercise thereof; or abridging the freedom of speech or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.”

2. The Newlands Act. “Nothing in this act shall be construed to require an employee to render personal services without his consent, and no injunction or other legal process shall be issued which shall compel the performances by any employee against his will of a contract for personal labor or service.”

3. Section 6 Clayton Act provides: “That the labor of a human being is not a commodity or article of commerce. Nothing contained in the anti-trust laws shall be construed to forbid the existence and operation of labor, agricultural, or horticultural organizations, instituted for the purposes of mutual help, and not having capital stock or conducted for profit, or to forbid or restrain individual members of such organizations from lawfully carrying out the legitimate objects thereof nor shall such organizations, or the members thereof, be held or construed to be illegal combinations or conspiracies in restraint of trade under the anti-trust laws.”

4. Section 20 of the Clayton Act provides: “That no restraining order or injunction shall be granted by any court of the United States, or a judge or the judges, thereof, in any case between an employer and employees, or between employees, or between persons employed and persons seeking employment, unless necessary to prevent irreparable injury to property, or to a property right of the party making the application, for which injury there is no adequate remedy at law and such property or property right must be described with particularity in the application, which must be in writing and sworn to by the applicant or by its agent or attorney.

“And no such restraining order or injunction shall prohibit any person or persons, whether singly or in concert, from terminating any relation of em-

ployment, or from ceasing to perform any work or labor, or from recommending, advising, or persuading others by peaceful means so to do; or from attending at any place where any such person or persons may lawfully be, for the purpose of peacefully obtaining or communicating information, or from peacefully persuading any person to work or abstain from working; or from ceasing to patronize or to employ any party to such dispute, or from recommending, advising, or persuading others by peaceful and lawful means to do so; from paying or giving to, or withholding from, any person engaged in such dispute, any strike benefits or other moneys or things of value; or from peaceably assembling in a lawful manner and for lawful purposes; or from doing any act or thing which might lawfully be done in the absence of such dispute by any party thereto; nor shall any of these acts specified in this paragraph be considered or held to be violations of any law of the United States."

However, an emergency condition had arisen. The above civil laws were totally cast aside. Martial law was declared in the railway industry. The army was held in preparation and the state of siege was proclaimed by the Daugherty injunction. A crisis was confronting the Government. Despite treason by the bureaucratic labor leaders, in spite of a powerful hostile press thundering condemnation and denunciation, despite scores of injunctions thruout the country, the workers were holding their own. Their resistance was adamant. The Government felt duty-bound and honor-bound to come to the rescue of the employers and in this rush to aid the kings of capital, the Government path was strewn with continuous violations of its own laws by the employers and Government agents themselves.

Conclusion.

The Daugherty injunction is one of the hardest blows yet struck at labor in the United States. It challenges the right

of the workers to strike; it brands as criminal and punishable accordingly all effective strikes. The full meaning of this injunction was thus clearly stated by *Law and Labor*, the official organ of the reactionary employers' League for Industrial Rights:

"A strike, therefore, intended to restrain, or inevitably restraining interstate commerce is unlawful. The Transportation Act, creating the Railroad Labor Board, by omission of specific condemnation of a strike, does not legalize one or in any sense paralyze the Sherman Act.

"The early newspaper reports of this case, due largely to the argument of the Attorney General on the application for the restraining order, left some doubt as to whether the Government was proceeding to restrain the strike or merely to restrain the use of force, violence and intimidation in the prosecution of the strike. A reading of the opinion filed by Judge Wilkerson....makes it clear that *the strike itself is the object of attack*, and is properly enjoined in so far as the strike, or any activity in furtherance thereof, purposes to interfere with or hinder the carriers in their performance of their statutory duties to transport freight, passengers and the mails."⁷⁾ (Our Italics).

The challenge to the workers does not come from any particular capitalist or group of capitalists. The challenge to the right to organize and to the right to strike comes from the highest representative and the very personification of the whole, united employing class—the United States Government. Said Judge Wilkerson:

"In disposing of this motion it may be well at the outset to emphasize what this case is not. It is not a case between employer and employees, or between

7) *Law and Labor*, October 1922, page 270.

employers and employees, or between persons employed and persons seeking employment, involving or growing out of a dispute concerning terms of conditions of employment. It is not a private bill to enjoin indirect injury, as one caused by a secondary boycott to the property of the complainant. It is, to use the language of Circuit Court Judge Baker, speaking for the Court of Appeals, Seventh Circuit in *Gassaway, vs. Borderland Coal Corporation*, 278 Fed. 56, 63, a bill ‘in the public interest by the Government as *parens patriae* to enjoin . . . an unlawful conspiracy or combination in restraint of trade. It is the conspiracy which is inflicting the public injury for which redress is sought.”

The supreme edict of the capitalist class in the revolt against the oppressive conditions forced upon the workers is: Thou shalt not resist! Thou shalt not strike! The Government is the agency thru which the whole capitalist class, the whole employing class thinks and acts! “Government by injunction” simply means the Government of the capitalist class speaking in swift and decisive terms to the workers—laying down the law to the workingman and laying it down with an iron fist in the name of profits!

Every strike which is at all effective means a restraint of trade. If this command of the Government is to remain unchallenged, the workers might as well disband their unions. They might as well prepare to bend their heads beneath the yoke of capitalist dictatorship.

CHAPTER IX.

THE ARMY AND THE WORKERS.

“Governor Morrow has sent troops to our town, shooting and killing men and women. Please act.”—
From telegram to President Harding by Representative
Herman Q. Thompson, Kentucky.¹⁾

THE military and naval forces are used by the Government to secure the profits of the employers abroad and to maintain law and order at home. The class that controls the Government, the ruling employing class, also controls the army and navy. When these forces fight the battles of the capitalists in foreign lands, then we are told that our “national honor” is at stake. When the army is called on to serve at home it is presumably to protect life and property and maintain peace. In both instances, regardless of what smoke screen the Government may bring on, these forces are used to protect the interests of the employers and crush the aspirations of the workers.

There are today very few who do not understand that the last war was a bloodfest to maintain the interests of the employers of one group of capitalist countries as against the interests of the employers of another group of capitalist countries. The Great War was a war to keep the world safe for capitalist democracy. Also, few workers are today afflicted with any illusions as to the role of the military forces in the proletarian struggle against employing class exploitation and oppression. The only

1) New York Times, February 5, 1922, page 17.

property the military and naval forces protect is that of the property owning class—the capitalists. The lives the army and navy save during strikes are mainly lives of the strikebreakers. In this task the military forces are strongly assisted by the deputy sheriffs and private gunmen. The only peace the military maintain is that of the peace of profits. They help drive the strikers back to work thru intimidation and ruthless violence.

The struggles of the American workers abound with evidence of terrorism to which strikers and strike sympathizers are subjected. In the textile, mine, and railway strikes of 1922, the military forces of the State and Nation played a particularly important role. Troops were mobilized and rushed to railway junction points in at least fifteen States. With the intensification of the struggle of the working class against its enemy, the employing class, the use of military and naval forces against the workers at home is resorted to in a degree of ever-increasing frequency and scope. This development has thus been treated by Professor Commons:

“Now the labor problem became a matter of nation-wide serious interest to the general public. Fundamental changes followed. The insufficiency of the militia showed the need of a reliable basis of operation for the troops, and the construction of numerous and strong armories dates from 1877. The courts began to change their attitude toward labor unions; the strikes and riots brought back from oblivion the doctrine of malicious conspiracy as applied to labor combinations. The legislatures in many States enacted conspiracy laws against labor. But the strongest moral effect was upon the wage-earning class. The spirit of labor solidarity was strengthened and made national. This was the first time in the history of the American labor movement that Federal troops were called out in times of peace to suppress strikes. Nor had the State militia ever been used for the same purpose on so large a scale.

The feeling of resentment engendered thereby began to assume a political aspect.”²⁾

It was in the railway strike of 1877 that the workers suffered the first considerable casualties at the hands of the troops. Three hundred federal troops were rushed to Reading and 200 to Baltimore. In Pittsburgh the Philadelphia militiamen killed twenty-six people.

From the following confidential statement appearing in the *Nation*, January 31, 1923, the “primary purpose” of the army today is brought to full light:

CONFIDENTIAL COPY

HEADQUARTERS

Vancouver Barracks, Washington
Office of the Intelligence Officer

October 16, 1922.

Dear Sir:

The Intelligence Service of the Army has for its primary purpose the surveillance of all organizations or elements hostile or potentially hostile to the Government of this country, or who seek to overthrow the Government by violence.

Among organizations falling under the above head are radical groups, as the I. W. W., World War Veterans, Union of Russian Workers, Communist Party, Communist Labor Party, One Big Union, Workers International Industrial Union, Anarchists and Bolsheviki, and such semi-radical organizations as the Socialists, Non-Partisan League, Big Four Brotherhoods, and American Federation of Labor.

Not only are we interested in these organizations because they have as their object the overthrow of the Government, but also because they attempt to undermine and subvert the loyalty of our soldiers.

2) History of Labor in the United States, Commons and Associates, Vol. II., page 190.

With the few scattered military posts in this part of the country, it is obviously impossible to cover all points as thoroughly as they should be, hence it is necessary in many cases to trust to the cooperation of law-enforcement officers whose duties and whose knowledge of a particular locality gives them a thorough insight into such matters.

It is requested that you inform this office as to any of the aforementioned or other radical organizations coming to your attention under such headings as (a) location or headquarters, (b) names of leaders, (c) strength of organization, (d) activities of the organization, (e) strikes and methods of carrying on same, and (f) attitude of members. We will be glad to receive copies of pamphlets, handbills, or other radical propaganda spread in your vicinity.

If from time to time you will keep me posted as to conditions in your vicinity, such cooperation on the part of yourself and your subordinates as the press of your duties permits will be greatly appreciated.

Sincerely,

W. D. Long,

1st Lieutenant, 7th U. S. Infantry,
Intelligence Officer.

In the Great Strikes of 1922.

The following Associated Press despatch dated Washington, August 20, 1922, gives an idea of the energy characterizing the strikebreaking activities of the War Department:

“TEST TROOPS FITNESS FOR DUTY IN STRIKES.

“DEPARTMENT RECHECKS THE OCCUPATIONAL
QUALIFICATIONS OF ENLISTED MEN.

“Washington, August 20 (Associated Press).—In order to be fully prepared for any demand that might be made upon it in the present industrial situation, the War Department is rechecking the occupational quali-

fications of the enlisted men of the army and compiling information making quick action possible in the event that Federal troops are called upon for duty in the coal or rail strikes.

"As a part of the department's general policy of preparedness, corps commanders are understood to have been requested to advise officials here how many men under their command have had experience in railroad work and in what particular branch of railroad service each is most competent. *Similar information regarding other trades is understood to have been gathered by the Department in other cases in the past.*

"Thus far no requests for Federal troops have been received by the department with either coal or rail strike, but Secretary Weeks and his advisors have taken the position that should a request come they should be prepared immediately to place all pertinent information before the President. The order regarding qualifications of enlisted men in railroad work was said to be based wholly on this desire for *preparedness* to indicate no change of policy on the part of the Federal Government. . . ."³) (Our italics).

At the same time the *Army and Navy Journal* was circulating on a wide scale an editorial letter that the country was being threatened with revolution and that the army must be supported to save the country. This letter maintained that "there never was a time when the business of the country was more in need of the assurance of stability." It pledged itself to have the army supply the needed "assurance of stability" and howled against the terrible communist railroad men hatching revolutions in the railway yards and roundhouses. Last but not least, it protested to the business men of the country against the elimination of 1349 regular army line officers and the reduction of the grades and income of the old officers. In order to enhance the efficiency of the army to secure "stability" such wage cutting

3) New York Times, August 21, 1922.

for officers must be discontinued. Subjecting officers to lower salaries means impairment of the efficacy of the army to crush the workers resisting wage cuts and degrading conditions.

This editorial letter was an open appeal to the capitalists to raise the pay of the army officers in order to secure the maximum help from the army in crushing the workers and condemning them to starvation wages.

A. THE TEXTILE STRIKE.

At the request of the Crompton and B. B. & R. Knight Company, Governor San Souci rushed two troops of cavalry and a machine gun company into the Pawtucket Valley. The triumphant entry of the troops was marked by the death of a strike sympathizer and the wounding of seven workers on the eve of Washington's Birthday. This was followed by dispatching four Coast Artillery companies to the Blackstone Valley. All in all the strength of the military forces pitted against the unarmed strikers was:

1. Six Hundred National Guardsmen.
2. Five Companies of Coast Artillery.
3. One Machine Gun Company.

In Massachusetts and New Hampshire the task of crushing the strikers fell largely upon the shoulders of the local police forces. Numerous arrests, denial of the right to freedom of speech and assembly, and intimidation characterized the activities of the armed forces in these regions.

B. THE MINERS' STRIKE.

During the mine strike the President invited the Governors of all coal mining States to resume operations under the protection of the military forces. Some Governors responded cheerfully. Governors Sproul of Pennsylvania and McCray of In-

diana rushed thousands of troops to the mines. But this did not help, as can be seen from Harding's subsequent confession of bankruptcy. Said the President:

"But little or no production followed. The simple but significant truth was revealed that except for such coal as comes from the districts worked by unorganized miners, the country is at the mercy of the United Mine Workers."

But some Governors refused to take the responsibility for the bloodshed that the wholesale use of troops against the workers would bring on. Such was the case with Governor Albert C. Ritchie of Maryland. In his telegraphic reply to President Harding's military appeal this Governor stated:

"The traditions of this State are those of a people who have settled such matters as these without the aid of bayonets and rifles. It is nearly thirty years since our militia has been used for a purpose of this kind, and I do not feel, even in the face of Federal failure, that I should immediately agree with your assumption that this failure is so complete, that when the problem is turned back to each State I should without further and more mature consideration give assurances which might lead to *filling the mine regions of Maryland with armed troops*.

"I am fully conscious of the responsibility which Maryland must share because of her coal deposits in helping supply the nation with fuel, but I feel that at this time I should not subscribe to the assumption that all things else have failed, and that *the various States must give assurance now which might lead them to take up arms against their own people. The presence of troops is often not the assurance of security but the provocation of serious trouble*.

"While we of Maryland, facing a new situation which you turn back to us, consider with all due gravity

what you propose, I venture to urge with the greatest respect that you renew your efforts to adjust in a proper and peaceful way both the railroad strike and the coal strike, so that the country will be provided with fuel by methods which better befit our Republic and which will make for a lasting settlement *instead of the doubtful proposition of an armed camp at each mine. . .*" (Our italics).

Anent the real significance of the use of troops in strikes, Governor Morrison of North Carolina went even further. He suggested that the mobilization of troops is actually nothing else but the taking of sides against the workingmen.

The miners were not overawed by the thousands of troops mobilized against them in the strike zone. They have fought many a battle with the Federal and State troops in the course of their heroic struggles against the capitalists. No outrage that the troops could perpetrate on their helpless wives and children could break their ranks. Ludlow and Mingo were still fresh in their memories.

C. THE RAILROAD STRIKE.

The Government's height of organized violence against the workers was reached in the railway strike.

As early as October, 1921, the Government was setting its strikebreaking machinery in order. The Navy Department's Receiving Station Order No. 91, dated October 21, 1921, Philadelphia, Pennsylvania, called for a classification of all men with previous railway experience and ability in marksmanship.

During the strike there was talk in Washington of making General Pershing Federal Rail Director. The Government picked Pershing for his boast that "a million men are available to operate the trains if necessary." General Pershing who commanded the American workingmen slaughtered on the battle-

fields of France is an especially outspoken hater of the labor unions. At a dinner in celebration of Lafayette-Marne Day in 1921 at Washington, Blackjack Pershing hurled this challenge to the workers.

"The policies of this republic are not determined by labor unions or by any other organizations but by the concensus of opinion of its patriotic citizens of whatever affiliations.

"It seems to be about time for someone to rise up and say that America shall be governed and ruled by American citizens and not by organizations which have their own selfish purposes to serve."

And Mr. Weeks, Secretary of War, was not soldiering on the job as far as the military to be commanded by Strikebreaker-in-Chief Pershing was concerned. He spoke plainly:

"The Government is not going to permit the transportation service of the country to break down."

That this meant that Weeks pledged himself to break the strike is shown by the following despatch in *The New York Times*:

"Various executive departments, it was said at the War Department this afternoon, have considered every possible means of co-operation to prevent a collapse of transportation. Mr. Weeks declined to go into details as to what measures have been considered. . .

"Mr. Weeks approved suggestions that were advanced that destroyers might be used to convey the mails to seaport cities with automobile truck routes laid out for distributing mail to inland points. It was pointed out that destroyers might carry mail from New York, Boston, Portland, Me., Washington, Baltimore, Norfolk, Jacksonville, New Orleans and even to San Francisco, trucks being used to radiate from these centers. In such an event, Secretary Weeks declared, it probably would

be more feasible on short hauls, as from New York to Boston, to carry mails by trucks, as they would serve a number of large cities en route. . . ."⁴⁾

Instead of compelling the railroads to abide by their contract with the Government to carry mails, the Government prepared an elaborate deadly strikebreaking machine to crush the workers.

In many States the National Guard was used on such a wide scale that special Gubernatorial proclamations were issued to supply the necessary strikebreaking instructions. Typical of these proclamations is the one issued by Governor Morrison of North Carolina on August 21, 1922. The military authorities were instructed to

"disperse all large assemblies brought together for the purpose of overawing and intimidating, by a display of numbers, those who desire to go to work."

These troops were withdrawn from the repair shops only after the members of the Brotherhoods struck in protest against their presence.

When the workers began to talk "general strike" as an answer to the Daugherty injunction the force of the whole army was invoked according to the *New York World*, which said:

"It was intimated that one decision has been reported by the Administration leaders on the present situation. If the general strike materializes, now regarded extremely unlikely, it will be met by the employment of the entire army to preserve order and keep the wheels of industry running. It was pointed out that the Government has no alternative."⁵⁾ (Our italics).

4) New York Times, August 24, 1922.

5) New York World, September 5, 1922.

A military scene in the railway strike is thus described by Mr. Philip Kinsley, of the *Chicago Tribune*:

“....At the gates in Maple road a motor truck filled with soldiers, some in overseas helmets, is just unloading a relief guard. Opposite the gate a machine gun is posted. Inside the gates three more similar weapons are hooded. . . .”

“The camp commands the yards, but unfortunately it cuts off the path down which the engineers and shopmen have been traveling for years to their work in the yards. Now a sentry paces the path. The first night the soldiers came, Charles O’Day, general chairman of the engineers of this district, had a bayonet pointed at him and he was ordered to halt as he started to take the old path downtown. This probably had a good deal to do with the original demand of the Brotherhoods that the soldiers get out. But the soldiers did not go. . . .”⁶⁾

This is not a scene on the battlefields in France. Nor is it a picture of conditions in territory occupied by a foreign army. It is a section on the battle front of the striking railway shopmen. The camp is at Joliet, Illinois, and the contending forces are the National Guardsmen of the State of Illinois against the striking railway workers of Illinois.

At this battle one striker was killed—shot in the back. Sheriff Newkirk of Steel Strike gunmen notoriety, back in his old role, was seriously wounded. The men in the National Guard were mainly sons of business men, and the strikers knew it and hated them.

“Sunshine soldiers, Grant Park soldiers” was the opinion of the workers. Tom Gleason, leader of the striking shopmen commenting on the situation said:

6) Philip Kinsley, *Chicago Tribune*, August 15, 1922.

"Soldiers are not needed here. These fellows are all right. You talk about radicalism among foreigners. There is more radicalism among Americans than among those other fellows."

The workers had reason to hate the soldiers. They were there to protect the strikebreakers robbing shopmen of their jobs and the strikers' wives and children of bread, a home, and school. Ostensibly they were there to prevent violence, but the workers knew from their own experience that this was painfully untrue. The following incident described in the *Farmer-Labor Union News* is typical:

"Add to this the report from Denison, Texas, to the effect that the soldiers caught, in the Katy yards, company guards cutting air hose and otherwise seeking to damage company property. The soldiers expected to find strikers doing this, but when they saw their 'mistake' they let the railway thugs go."⁷⁾

In Kansas though martial law was not declared formally, the soldiers took all matters in their own hands. Said Mr. Freeman, President of the Kansas State Federation of Labor:

"Advices from railroad men in this vicinity of Herrington and Wellington lead me to believe that members of the National Guard on duty at Herrington, and railroad guards at Wellington are usurping their authority by forcing men returning from the harvest fields to leave the trains and station platforms at the points of guns and forcing them to enter the Rock Island and Santa Fe shops, telling them that if they do not go to work in the shops they will be prosecuted for trespassing on railroad property."⁸⁾

7) The Farmer Labor Union News, October 19, 1922.

8) W. E. Freeman, President. Kansas State Federation of Labor, quoted in "The Plumbers' Gas and Steam Fitters' Journal, September 1922, page 25.

The following appearing in the *New York World* is merely a glimpse of the conditions to which the workers were subjected:

"Some weeks ago, C. E. Hatfield, a Presbyterian minister in Herrington and the Democratic nominee for Congress in the Fifth Kansas District, accepted an invitation to speak at the Modern Woodmen Log Rolling in his own town on Labor Day. This meeting was not organized or promoted in any way by strikers or by organized workingmen.

"About a week before the celebration, Mr. Hatfield was asked to call at the headquarters of Colonel Brown, commanding the State troops stationed at Herrington to guard railroad and other property and to preserve order during the strike. At his convenience, Mr. Hatfield went to Colonel Brown's tent.

"After exchanging customary greetings Colonel Brown asked Mr. Hatfield if it was a fact that he was to speak at the Log Rolling on Labor Day and Mr. Hatfield replied it was. Substantially the following conversation took place:

"Colonel Brown—'What are you going to talk about in your speech?'

"Mr. Hatfield—'I am going to discuss matters in which we are all interested at this time.'

"Colonel Brown—'*You are not going to do anything of the kind. In your speech you must not mention the strike, the Industrial Court, the Federal Injunction, the railroad situation in any of its phases or say anything that will cause anyone in the audience to think of any of these things.*'

"Mr. Hatfield made no promises to Colonel Brown and went about his business.

"On Monday morning, Sept. 4 Mr. Hatfield was visited by Captain Hennessy, commanding officer of one of the companies of infantry stationed at Herrington. Hennessy stated to Hatfield that he was acting for Colonel Brown, who was sick, and then took from his pocket a memorandum and reading from his notes gave

Mr. Hatfield positive instructions that in his speech he must not mention—

- "1. The railroad strike.
- "2. The Kansas Industrial Court.
- "3. The Federal Injunction against the strikers issued by Judge Wilkerson.
- "4. The railway situation in any of its phases.
- "5. And that he must not say anything in his speech that would cause any person in the audience to think of any of these things.

"Mr. Hatfield understood from his conversations with Colonel Brown and Captain Hennessy that if he disregarded the instructions given him by the military authorities he would be arrested and put in jail although he was not told so in so many words.

"When Mr. Hatfield took the platform he told the audience that he had received orders not to talk about certain things which he enumerated as above and that as little was left for him to say he would like to talk about twenty minutes.

"The city of Herrington is not under martial law. There has been no formal suspension of the usual rights of citizens. The troops are on orders from Governor Allen, presumably for no other purpose than to protect life and property and preserve the peace.

"Is it possible for me to add anything to the outrage against free speech perpetrated by Colonel Brown?

"What has bred the conditions that allow such a manifestation of military despotism?

"If free speech is gone and mob law and military authority are supported by the Governor and by the courts, how long will it be until revolution will be the only right left to the people?"⁹⁾

In order to break the strike and rout the workingmen, the military forces were ready to interfere even with the lives of others not involved in the strike. This is the democracy the

9) New York World, October 8, 1922.

workingmen of Kansas are at the mercy of—a capitalist dictatorship.

Conclusion.

This is the role played by the army in strikes. In the railroad, mine, and textile strikes the military forces were particularly active against the workingmen. The employers control the government. They thus control the military, naval, and other forces of oppression.

These are the words of Major General James G. Harbord, Deputy Chief of Staff of the United States Army. In these words are struck the keynote to the employers' policy in the use of the army.

"We anticipate some trying days ahead of the firm. Various wild schemes of Socialism and Bolshevism are seeking to encroach upon our territory and to impair the standing of our civilization thruout the country."¹⁰⁾

As the workers are developing their class solidarity the capitalists are preparing to use the army against them on a larger and more intensive scale than ever before. In his message of August 18, 1922, Harding called upon Congress to pass the measure proposed by Senator Kellogg, who has since then been thrown out of the Senate by the workers of Minnesota. This bill presumably provided "for the better protection of aliens and the enforcement of their treaty rights." In this bill the Government showed its teeth. It aimed to secure additional pretenses to facilitate the throwing in of huge masses of troops against the workers by authorizing the President to use the army and navy in addition to deputy marshals to carry out the provisions in question.

10) New York Times, October 5, 1922.

At the sign of the dollar the army of the Government is ever ready to crush the workers struggling against unspeakable working conditions and starvation wages. And at the sign of the dollar the flag goes ever marching on!

CHAPTER X.

THE EMPLOYERS' ASSOCIATIONS.

"The compensation law was drafted by our general counsel, and it was enacted just as we drafted it. We succeeded in defeating the enactment of a compensation law until it became necessary for us to place a law on the books or else one would be placed there by the labor unions."—J. E. Edgerton, President of the National Association of Manufacturers, in appeal for new members.¹⁾

BESIDES being subject to oppression by the Government proper the workers are also at the mercy of many extra-governmental associations. These are political organizations in the sense that they are part and parcel of the huge engine of oppression in the hands of the ruling class—the State. Though formally not a part of the Government, these associations wield a tremendous political power and are of especial aid to employers in their struggle with the workers.

The Main Purpose of These Organizations.

The following illuminating remarks were made by Wallace M. Short, Mayor of Sioux City, Iowa, in an address before the Iowa League of Municipalities:

"Every Chamber of Commerce, every Rotary Club, every Kiwanis Club, and some other so-called luncheon

1) Quoted in American Federation of Labor News Letter, October 21, 1922.

clubs, is an organized agency of propaganda and the stifling of the free play of public opinion....

"....The organized control is wholly in the hands of that group of business men who definitely set their hand to destroy root and branch the organizations which the people have built up for their own protection against unbridled rapacity.

"The last five years have witnessed perhaps the most highly organized, best financed, most determined effort ever made by organized property interests to control Government and industry for their own ends and to destroy whatever stands in their way."²)

Every effort of these organizations is aimed at strengthening their power to exploit and oppress the workers—at perpetuating their economic and political power. Detective agencies, gigantic stoolpigeon associations, hooded hangmen banded together in such organizations as the Ku Klux Klan, and a horde of thugs, gunmen, and desperate paroled criminals form the auxiliaries, the rear guard of this army of the employing class. At the head of this band of sworn foes to the working class are the chambers of commerce, the manufacturers' associations, the powerful lobbies, and the various trade bodies.

Typical of the energetic organization campaign in behalf of such associations waged by the leading capitalists is the following letter:

CHILE COPPER COMPANY

120 Broadway

New York, August 5, 1919.

Charles M. Schwab, Esq.,

111 Broadway,

New York City.

My dear Mr. Schwab:

I take much pleasure in introducing to you Miss Dorothy Thompson, who desires to interest you, if possible, in the work of the Social Unit Organization. I

2) Quoted in "Labor," November 25, 1922.

hope that you will be able to spare a few minutes of your time to hear what she has to say as I believe that it will make a special appeal to you.

Certain experiments have been undertaken by the organization in Cincinnati, and I am convinced that the results obtained have been very satisfactory.

No social enterprise with which I am familiar seems to me to offer a more significant answer to the question of how we can develop our American democracy along sane, constructive lines, as opposed to methods of force and violence, than the Social Unit plan. I feel that the development of such a plan should have a strong tendency to offset much of the unrest from which we are now suffering, and from which we are likely to suffer in the future.

In order to make such a campaign of education possible, it has been suggested that I should join with four or five others in underwriting a fund of \$100,000, to be used in an endeavor to secure a large number of supporting memberships. The underwriting is, of course, in the nature of a loan, to be repaid to the subscribers provided sufficient funds for the purpose are raised thru memberships. I have therefore agreed to become one of the underwriters, and it is Miss Thompson's desire to secure, if possible, your co-operation and aid.

I bespeak for her your kind co-operation.

Very sincerely yours,

Daniel Guggenheim.

Under sundry names these organizations are camouflaged to attack the workingman. Regardless of what mask they appear under this is their sole purpose.

Smashing the Unions.

Indicative of the spirit characterizing the extensive drive of the employers, is the following statement made by A. M. Glossbrenner of the Indiana Manufacturers' Association:

"I happen to be running a shop which I think is similar to yours, Mr. Gillette, in the manufacturing business, in that we will not employ an individual in any part of the plant that does not sign an individual contract in which it is expressed that he is not and will not become a member of a labor organization while in our employ."³⁾

In a letter of invitation to membership sent to Wood F. Axton, President of the Axton-Fisher Tobacco Company of Louisville, Kentucky, by the League for Industrial Rights, successor to the Anti-Boycott Association, we find this proud boast:

"The plan of organized labor to wipe out legal and constitutional obstacles and to force the closed shop upon the country has been frustrated by our opposition to radical legislation and *by the court decisions obtained by us for our members at our expense.*" (Our Italics).

Mr. Axton happened to turn down the invitation and replied:

"This paragraph is indeed astounding, especially declarations that decisions of the court have been obtained by you at your expense."⁴⁾

This foe of organized labor, the League for Industrial Rights, publishes a magazine *Law and Labor* thru which it has waged an active campaign to have the various State Legislatures enact the following two laws providing for "the social control of industrial warfare":

"1. Any voluntary association of seven or more members may sue and be sued in the name of the association.

"2. For better protection of public welfare against unwarranted strikes and lockouts.

3) Proceedings of National Conference of State Manufacturers' Association, January 1921, page 72.

4) See "Labor," July 1, 1922.

“Section 1. The phrase ‘unwarranted industrial warfare’, as used in this statute shall mean a strike or lockout when carried on (a) by or in respect to employees whose terms of employment are fixed by the State or the United States, or any political subdivision thereof; (b) in violation of an agreement or for conditions of employment conflicting with an agreement between an employer and any labor union; or (c) in violation of any arbitration award, or for conditions of employment conflicting with the terms thereof; or (d) to enforce terms of employment where a request therefor has not been presented to the party from whom such terms are sought and a reasonable time given for the consideration; or (e) where there is no trade dispute involving issues of direct benefit to the acting parties.”

Such legislation makes impossible the existence of labor organizations. The power behind organizations like the League for Industrial Rights is tremendous. Since the agitation for these bills was initiated the Supreme Court has enacted the first bill as a National law thru the Coronado Decision and the United States Government has passed the second measure thru the Daugherty Injunction.

The full force of capitalist class organization is brought into play against all working class organizations. Upon the announcement that the railway workers of the Pittsburgh district were considering the establishment of a co-operative bank the employers of the district got busy to put an end to the plan and issued the following statement:

THE EMPLOYERS' ASSOCIATION OF PITTSBURGH

March 14, 1922.

For the Bankers of Pittsburgh:

Personal.

Gentlemen: Believing you will be interested, we beg to advise you in confidence, that there is a movement on in Pittsburgh among the trades unionists (or-

ganized labor) to establish a bank to be known as the Brotherhood Savings and Trust Company. They expect to have a meeting at the Moose Temple, Sunday afternoon, March 19, 1922, at 2 o'clock, for the purpose of formulating plans to organize such a bank, along the lines of the Brotherhood of Locomotive Engineers' Bank in Cleveland. This meeting is expected to be addressed by Walter S. McCaleb, manager and director of the B. of L. E. Bank of Cleveland; W. S. Stone, grand chief, Brotherhood of Locomotive Engineers; Hon. Wm. J. Burke, member of Congress, and others.

Very truly yours,

E. B. Moreland,

Secretary-Treasurer.⁵⁾

But the employers do not stop at resolutions. These are often only the entering wedge or smoke screen for policies of blood and thunder. At the sessions of the American Mining Congress, held at Cleveland, Ohio, October 17, 1922, the following scene was enacted.

A notorious strikebreaking resolution was proposed by Charles Maurer, Vice-President of the Congress and one of the leading operators of the Central Competitive Field. It read:

"All disputes directly affecting the public interests, which may not be settled by mutual agreement, shall be determined by judicial process; that any act in combination with others, which act would be unlawful if done by an individual, shall be unlawful on the part of all those who take part collectively and individually, all of whom shall be liable to damages to the party injured thereby; that every agreement, order, determination, or conclusion by two or more persons, which, if carried out, would be in restraint of trade, increase the cost, or restrict the production of any ar-

5) See "Labor," April 1, 1922.

ticle of commerce to the public injury shall be declared unlawful, and each and every person, organization, or combination guilty thereof shall be properly penalized therefor."

Even the Supreme Court has not yet handed down such a mandate.

It was left to J. G. Bradley, a coal magnate from West Virginia to show that this resolution, drastic a strikebreaking proposal as it was, was only a screen behind which the real plans of the mine operators' associations are hidden. In the course of the debates he declared:

"There are times when the use of the rifle is advisable and when people should be sent to the kingdom to come.

"The non-union States have been successful, where their Northern neighbors have not, in withstanding the aggression of predatory labor, and therefore are freer from the constraint of unions and uneconomic wage contracts. . . .

"The Southern coal producers advise us to take a stand for law and order as did the people in the South in the 1922 difficulties, and in this way to prevent the control of all activities by a union which is in a very great minority in proportion to the population of the nation.

"We urge you to do it now, before it is too late and the irresponsible oligarchy completes its grasp of the coal fields and places itself in a position to control the means of transportation and manufacture as completely as the labor dictatorship controls Russia."⁶)

This is plain talk—in the language so often spoken by the gunmen of West Virginia.

6) See "Labor," October 21, 1922.

The Open Shop in Action—A Capitalist Dictatorship.

Let us go to Marion, the home of President Harding, to see how a powerful employers' association operates. Says John P. Frey, Editor of the *International Moulders' Journal*:

"In Marion, the home of President Harding, and where he held directorship in several industrial corporations, there existed a manufacturers' and merchants' association, organized for the purpose of maintaining non-union conditions. The association employed a secretary or commissioner, in whose office was kept a card index system of every employee in the industries of Marion. The workman's name, age, and many other personal items were entered, the class of work he was employed on, the wages he was paid, and his qualifications as a workman.

"No member of the association hired a workman without immediately reporting to the commissioner, so that absolute records could be kept. Members of the association, by industries, determined what the maximum wage rate would be for any group of wage earners, and no member of the association was permitted to pay more. There was an ironclad agreement that no member of the association would employ a wage earner who had worked for some other member without that member's consent. *If a workman quit his job because of dissatisfaction with the terms of employment, he found that he could not secure work unless the previous employer gave consent. He was compelled to return to his previous employment, or leave the city.*

"A short time before my investigation in Marion, some girl store clerks learned that they could earn considerably more money in one of the local candy factories. They secured jobs in the candy factory. Shortly afterwards they were notified that they must be laid off, because hiring them was contrary to the rules of the Marion employers' association, and they were compelled to return to work as clerks under a considerably

smaller wage rate than they had received as candy workers. The purpose of the employers' and merchants' association was to build an invisible, but none the less impassable, wall around Marion, and place their representative at the gateway to employment and determine who could come in and secure employment, and who must quit work in the industries because the employers' association did not want them. *The Employers' Association exiled workers from industry who displeased them, as thoroughly and effectively as the Czar exiled those who displeased him.*"⁷⁾ (Our italics).

And behind the dictatorship over the workingmen in the United States is a highly centralized coterie of capitalists. Twenty-five of these giant lords of capital control 82 per cent. of the railways alone, not speaking of oil, steel, coal, copper, and other basic industries.

Representative Edward E. Browne of Wisconsin, has clearly shown in the House on June 15, 1922, what such capitalist organization means to labor:

"It is an open boast of the great financiers who have obtained their great wealth largely thru the acquirement and monopolization of great natural resources—who are the owners of the railroads, coal mines, and who control iron, steel, copper, and petroleum—that they are going to destroy organized labor.

"They are going to attempt to do this if they stop production, paralyze the industries of the country, and let gaunt famine stalk thru the land."

Thru a vast and intricate system of interlocking directorates coupled with these extra-governmental capitalist organizations the employing class has established a mighty united front against the workers. These associations are the torchbearers in the crusade against labor.

7) International Molders' Journal, October 1922, pages 538-539.

Breaking the Railway Strike.

In the strike of the shop crafts the employers' associations were especially active. Here the capitalists displayed extraordinary class solidarity. The railways are the arteries of the nation. They are the arteries that carry the fabulous profits, made up of plunder from the workers' product, to the most powerful bankers and industrialists.

Contrary to its own rules of procedure, in violation of the rules set down by the Interstate Commerce Commission, and in total disregard of the United States Supreme Court's ruling the Railway Labor Board admitted evidence by the following big employers' associations in the hearings for the last wage cuts: The National Industrial Conference Board of New York; The National Industrial Traffic League representing the big shippers, lumber, coal, iron, steel, etc.; The Railway Business Association of Philadelphia; the Illinois Manufacturers' Association.

The labor organizations did not have an opportunity to refute this testimony which was given secretly.

During the strike the railways organized campaigns of slander and mob violence against the workers. At Fairview, Mo., the Missouri and North Arkansas Railroad organized a Business Men's Protective Association to drive the union men out as can be seen from the following despatch from *Labor*.

"Efforts to incite mob violence against striking employees of the Missouri and North Arkansas Railroad nearly culminated in the burning alive of two men who were unjustly accused of having set fire to a bridge near Fairview, Mo. Cooler counsel prevailed and the mob abandoned its intention of cremating the strikers on the timbers of the doomed structure.

"Later, Denton Pierce, a striker, was arrested at Eureka Springs, Arkansas, on a charge of incendiarism and held for officers of Harrison. When the latter arrived they were members of the so-called Protective

League, without any legal warrant, and the authorities of Eureka Springs freed Pierce.

"Pierce, on advice of his attorney, then went to Neosho, Mo., and surrendered to the prosecuting attorney, to whom he proved his innocence and was again released.

"The strikers claim that engine No. 34, when it left Harrison, Ark., was dropping fire from its firebox and that two fires had been started by it before it reached the bridge near Fairview. It is said by passengers on the train carried by this engine that it was solely responsible for the destruction of the bridge.

"Notwithstanding, business men of Harrison raised a reward of \$1,000 for the capture of the 'incendiaries' and are making threats of heavy punishment for the guilty if they are detected.

"Receiver J. C. Murray has recruited some business men friendly to the road and whatever following they can command into self-styled 'protective associations', who hold frequent meetings and listen to violent and abusive language addressed to the strikers.

"Last year a so-called protective association drove grand officers of the railway men's organizations out of Harrison, and it is believed to be their purpose to make it so uncomfortable for the strikers and their leaders that they will be forced to leave the community. . . ."⁸⁾

Since then, the agents of these employers hanged a striker named E. C. Gregor.

The railway capitalists have also resorted to bribery and company unionism. Pursuing this policy the Southern Railway Company has offered clerks who worked during the strike preferred stock and "distinguished service badges." Exclusive of the Pennsylvania Railroad, sixteen railway companies totaling a mileage of 55,916 have signed agreements with their own "unions" whereby the latter waive their right to strike and are

8) "Labor," July 1, 1922.

subject to the bonuses and treats of their generous employers.

At the head of the organizations leading the attack on the railroad workers was the United States Chamber of Commerce. In its bulletin "National Problems and the National Chamber" the effect of its anti-strike activities is thus portrayed:

"Following the call of President Defrees, the local chambers of commerce thruout the country immediately took the lead toward maintaining national life in their communities.

"The fact that these organizations, federated into one national group, had, as determined by their own votes, a definite position in this controversy, gave the statements of President Defrees authority sufficient to carry them broadcast in the press.

"This immediate and decisive statement of the attitude of organized business had much to do with the formation of the public opinion which was the impelling force in calling off the strike."

The local associations took their cue from this fountain head and waged energetic drives to smash the strike. At Waterloo, Iowa, the Rotary Club gave wide circulation to a resolution reading in part:

"We strongly commend your splendid action in staying on the job in trying times; you have shown to the citizens of Waterloo by so doing that you have faith in the Government of the United States, are loyal and have the best interests of the city and your home at heart.

"The loyalty of any man to country, home, and job, will bring its true reward in prosperous and contented citizenship. . .

"The Waterloo Club recognizes public service whenever and however rendered, and stands firmly on the side of good government. It desires to express by the statements above its hearty approval of the attitude

taken by the loyal shopmen of Waterloo. Service above self, he profits most who serves most.”⁹⁾

And the Indiana Manufacturers’ Association called upon its members to do their bit to break the strike.

“It might be a splendid investment to make a little sacrifice in some of the plants of our members for a short time to help out this crisis.”

The appeal goes on to assure their members that the railroad managers in their districts “will be delighted to confer with you.” It is interesting to note that in Iowa the employing class speaks of “service” and in Indiana their colleagues speak of “splendid investments.” But it is not difficult to explain the difference in language. In the one case the business men speak of service—to be rendered by the workingmen; in the other case they speak of splendid investments—for the capitalists. The employers know the language that suits each class best.

Nor was the Ku Klux Klan to be left behind in the strike-breaking activities. In the *Lehighton (Pa.) Evening Leader*, the local tribe inserted the following advertisement:

“TO THE PEOPLE AND STRIKERS OF LEHIGHTON

“The true American fights for what is right and he or she fights fairly. A standard of right set by God can alone be changed by God. People cannot change this. He who tacitly stands and watches this law of ages broken is himself an offender.

“Sunday night’s exhibition, staged by those people of the type which bear the hate of people and animals, was to the people of Lehighton a challenge. How many have accepted that challenge? What have the people in public office done? Nothing. What should have

9) Brotherhood of Locomotive Firemen and Enginemen’s Magazine, October 1, 1922, page 15.

been done was left undone though cowardice. Why has not a step been taken to guard against these cowardly attempts at murder? The strike committees who are directing activities of the strikers are paid by the national union. They are fed. Why should they worry about work? And the blind fool followers do as these ignorant leaders bid them.

"The *Ku Klux Klan* is here to protect the lives of the innocent people of your town. They are here to punish the people who should for the sake of right have died in the influenza epidemic in the place of some helpful citizens.

"The *Klan* is here and by the help of God *The Klan will stay*.

"(Signed) *Ku Klux Klan*."

The editor of this paper had been ordered by the Klan to blame the strikers for dynamiting and wrecks in the railroad strikes. The editor of the paper was not overawed by the order which read:

Mr. Morthimer: To you the Klan has been a friend. It is the wish of every member of the Klan that these past relations continue. In a sense, you hold one of the most important public offices. You are a member of the Rotary Club. You are a man of some apparent influence, but in the last analysis, you are like most of your townsmen in office—a cowardly jellyfish. You have not the real patriotism of a real American to take advantage of your office as an editor to denounce the actions of the strikers at Leighton. Therefore, we do not request, but we command you under penalty to publish the inclosed article in the *Leighton Evening Leader* of October the third. Place it on the front page, top center and double column. If the bill should amount to four dollars and thirty-five cents place at the bottom of the first column these figures: 4 3 5 \$.

(Signed) *Understand*.

Employers' Associations Wield Tremendous Power

The employers thru their numerous organizations wield a tremendous political power. The Government, the church, the press, and social organizations are strongly under their influence, guidance and control.

A. THE CHURCH.

The churches of America, as elsewhere, boast of their preaching the Golden Rule. But the capitalists have established the rule of gold in every walk of life, the church not excluded. Woe unto the church that wins the wrath of the big employers. Churches, like all other organizations, must be financed in order to live. The churches are dependent upon the employers for most of their financial support. In this way the employers shape the policies enunciated by many pulpits.

When the Federal Council of Churches began to investigate the living and working conditions of the steel workers, the employers served notice on it to keep its hands off. It was told in plain terms that it was not the business of the church to meddle with things on earth. The capitalists put forward the idea that to the church was relegated the domain of heaven. A furious protest emanated from the employers' associations at this meddling with such earthly matters as wages and working conditions and the Council was threatened with a financial boycott. When the Council went ahead and published the Interchurch Report of the Steel Strike of 1919—an indictment of the Steel Corporations—all financial support was withdrawn from the Council by the employers.

Because of its attempt to pry into the labor question the Catholic Welfare Council was also subjected to a bitter attack by the capitalists. The matter was brought to Pope Pius XI who ordered a decree suspending the organization. Finally it

was left to the Sacred Consistorial Congregation of Cardinals to reconsider the suspension.

B. THE SOCIAL RELIEF ORGANIZATIONS.

In 1920 the Better American Federation of California and in 1921 the Pittsburgh Employers' Association condemned the Young Women's Christian Association for adopting a program of social legislation.

One of the important examples of such a boycott by employers' associations is that of the stand taken in 1922 by the Manufacturers' Association of Ohio against certain social reform organizations for advocating the minimum wage, the shorter workday and other ameliorative measures. The organizations thus boycotted were: The Ohio Council of Women and Children in Industry, the Ohio Institute for Public Efficiency, the National Consumers' League, The Women's Christian Temperance Union, the Young Women's Christian Association, the Vocational Bureau of Cincinnati, the Urban League of Columbus, the Ohio State University, the Ohio Council for Family Social Work, the Columbus Temple Sisterhood, the Industrial Health Conservancy Laboratories, the Cleveland Welfare Federation, and the Woman's Trade Union League. The letter of the Manufacturers' Association read:

"These organizations have all adopted the program of the American Association for Labor Legislation, and this program includes the short (and shorter) workday, with the 8-hour day as the maximum in all employment; minimum wage, old-age pensions, unemployment compensation or insurance, one day's rest in seven, no night work for women, etc., and the establishment of the employer's responsibility for living and housing conditions.

"The organizations which are doing this work are largely supported but not directed by you. The

Y. W. C. A., which was a most worthy and useful body as originally conceived, is now—at least in industrial centers—a hotbed for socialistic propaganda and legislative experimentation. Its local bodies are often officered by the wives and daughters of business men and manufacturers who have never sought to present the economic side of social problems to the women folks. The libraries and the reading courses and reference works are largely made up of socialistic works, and the officers will give no hearings to books or speakers on the other side.

“What are you going to do about it? Meetings under the auspices of the Y. W. C. A. are going on in every county and candidates for the legislature are being interviewed and pledged. You are making the campaign possible. I have no right to more than tell you the facts, but I am going to venture to suggest that unless you approve of these schemes to load industry with the maintenance in ‘decent living conditions’, the standard being established by the beneficiaries, of all the inefficient, the lazy, the thriftless, and the maimed or defectives, you might stipulate the purpose for which your contributions to these organizations may be used and expressly provide that no part of it shall be used to promote the passage of legislation or carry on propaganda for the social service labor program adopted by these organizations.”

The employing class takes all steps possible to prevent the workingmen from improving their conditions. Even organizations that do not aim to overthrow the capitalist system of exploitation and organizations which, in many cases, advocate ameliorative measures in order to pacify the workers come under the ban of the employers. Profit counts first, last, and all the time with the exploiters of the workers.

C. THE PRESS.

It is not our task here to go into an elaboration of the intricacies of employing class control of the press. We will

merely cite the strong hold the employers have on the press of the country thru advertising.

Recently the Curtis Publishing Company made a survey of magazine advertising which affords much food for thought. In 72 monthly and weekly magazines, farm journals, and women's publications the advertisers spent, in 1921 \$95,439,236. Of this sum the *Saturday Evening Post* received \$25,404,697; the *Ladies' Home Journal*, \$10,370,829; the *Literary Digest*, \$7,414,518; *Pictorial Review*, \$4,020,235; *Country Gentleman*, \$2,356,576; *Successful Farming*, \$1,550,809; *Youth's Companion*, \$263,867; and *Today's Housewife*, \$230,252.

From 1915-1921, the employers spent \$534,774,481 in such monthly and weekly publications. In the hundreds of dailies thruout the country many times that sum were spent.¹⁰⁾

The prevalence of this condition has been shown in the following incident pointed out by the Interstate Commerce Commission:

"A new ledger account in the name of the American Publishing Company was opened by transferring \$40,300.70 from Tennessee Railroad Association Account. Among the charges made to this account was an item of \$24,750 for the purchase of the bonds of the American Publishing Company. This company, it appears, owned a newspaper known as the *American*, published in Nashville, the official organ of the railroads operating in Tennessee. The carrier evidently never received repayment of the advances made to this newspaper company, since its account was finally cleared by charging the balance of \$42,633.99 due from it to profit and loss."¹¹⁾

10) New York Times, September 27, 1922.

11) Hearings Before the Committee on Interstate Commerce U. S. Senate, 67th Congress, 1st Session, Pursuant to Senate Resolution 23, page 1305.

Thru such methods the railways have increased their "poverty" and the newspapers have been enabled to plead the case of the "poor" capitalists. The railway associations thruout the country, particularly in the small industrial towns, used the newspapers towards this end—discrediting the workers and elevating the capitalists. Of course the workers had to pay the expense of the campaign in terms of reduced wages and worse conditions of employment.

D. THE GOVERNMENT.

How the Employers' Associations dominate the Government is thus stated plainly by Samuel Untermyer, the noted lawyer:

"The splendidly equipped lobbies of the fire and casualty companies whose monopolies are in peril and of the Prudential and Mutual Life Insurance Companies, investigations into whose investments and why they prefer Wall Street securities to real estate mortgages are still under way, of profiteering landlords and innumerable other powerful interests are on the job day and night, and their lying propaganda bureaus are being worked overtime to poison the minds of honest legislators as they tried to poison the public mind last year in order to prevent the (Lockwood) committee from continuing."¹²⁾

In Washington alone it has been estimated that there are more than two hundred and fifty powerful lobbies. Their influence on legislation and legislators are manifold. Their control of Government would fill volumes. Hanford Macnider, former Commander of the American Legion, pointed out:

"My attention has just been drawn to the published threat of the financial interests of Republican persuasion that if the Republican Congress passes the veter-

¹²⁾ Samuel Untermyer in New York Times, February 4, 1922, page 1:

ans' adjusted compensation bill there will be no contributions from that quarter to the Republican campaign funds.

"In the words of one despatch, Big Business informed Chairman Adams, of the Republican National Committee, that 'If Congress passes the bonus bill it may get some soldier votes for the respective candidates, but it will lose the support of business.'

"The lines are more clearly drawn than ever. On one hand we have an element of the business and financial interests of the nation, which contributed least and profited most by the war.

"These interests are threatening Congress, flourishing the political pistol, and a gold-plated one at that.

"On the other hand we have the men who fought for their country presenting their case on its merits, confident that they enjoy the nation's confidence now as they did in 1917, and that justice will be done.

"Whom do the people of the United States wish their representatives in Congress to follow?"¹³⁾

The answer to this problem lies in the answer to the question: Who controls the Government? This question was answered by Harding most affirmatively when he vetoed the Bonus measure. The employing class disapproved of it. The Chamber of Commerce of the United States said *no*. And the President of the United States did the rest. The Bonus bill died a horrible death at the hands of the President. And once more the pen was mightier than the sword!

Nor is buying legislatures a capitalist luxury, since the workers pay the bills as is shown in the following typical incidents found by the Interstate Commerce Commission:

"An account was opened in the name of the Immigration and Industrial Association of Alabama in January, 1907. This records cash advance to George W.

13) Statement of Hanford Macnider, formerly Commander of the American Legion Congressional Record, September 20, 1922, page 14,025.

Jones, assistant district attorney at Montgomery, Alabama, made under the authority of the first vice-president; \$13,068.80 was charged to this account; \$7,868.86 was re-collected from other carriers who were parties to the association and credited to this account. The balance of \$5,199.94 remaining was charged to operating expenses by authority of the first vice-president. The nature of this account is indicated by notations on the treasurer's statements of each receipt entered therein, such as 'proportion of expenses, account adjourned session of Alabama legislature'."¹⁴)

"Referring to the political contributions of the Nashville, Chattanooga & St. Louis Railway, a subsidiary of the Louisville & Nashville, but operated separately, the Commission's report states that while expenditures aggregating \$13,993.73, which were entered on the accounts of this carrier, appear to have been for the purpose referred to, at the same time the accounts do not disclose the purpose of numerous other large expenditures. *Among the accounts was one providing entertainments for various State, County, and Municipal officials.* As to the concealed accounts, the Commission says that 'the accounts disclose other disbursements aggregating \$599,668.92, the purposes of which are concealed. Of these payments, \$233,025.73 was collected from other railroad companies.' These expenditures as to which detail is lacking are discussed in the Commission's report under the headings of expenditures to prevent the City of Nashville from aiding in constructing the Nashville & Clarksville Railroad, now the Tennessee Central."¹⁵) (Our italics).

By means of such devices as entertainments, bonuses, and

14) Quoted from Findings of the Interstate Commerce Commission by Frank Julian Warne in Hearings Before the Committee on Interstate Commerce, United States Senate, 67th Congress, 1st Session, Pursuant to Senate Resolution 23, page 1304.

15) Ibid, Testimony by Frank Julian Warne, page 1,305.

miscellaneous gifts the legislators are turned into outright lackeys of the employers.

The great control these employers' organizations have over officials was evidenced in the last railway strike. The workers agreed to a settlement proposal of the President who was then to seek its approval by the Association of Railway Executives. But here we stop. What happened is forcefully brought home in the following statement of the Big Four Railroad Brotherhoods on this situation:

"The President said he was unable to put his original proposal over, but that he was to meet a committee from the Railway Executives' Association with Mr. T. DeWitt Cuyler as Chairman as soon as our meeting was over. We argued and pleaded with the President, as above indicated, without results. We remained with him until the committee representing the railroads arrived, when we retired, with the understanding that he (the President) would advise us further after his meeting with the railroad executives. This same evening we were advised that he had not been successful in inducing the railroad Presidents to change their position, that they were willing to send the shopmen's rules and working conditions back to the Labor Board, but they positively refused to restore seniority to men on strike."¹⁶⁾

The President not only meekly yielded to the orders of the railway employers' association, but he subsequently led the offensive against the workers. And this despite the fact that the workers accepted his settlement terms and the employers turned them down! It is always this way. The Government protects the capitalist organizations but persecutes the workers.

16) From Statement by Railway Brotherhood Grand Chiefs, August 30, 1922, in Brotherhood of Locomotive Firemen and Enginemen's Magazine, September 15, 1922, page 14.

Should any government official be especially vicious in his persecution of workingmen the employers run to his aid. The notorious Pat Hamrock, of Colorado, illegally deported the well-known labor leader William Z. Foster from the State. Many liberals condemned this act. This led to a plea of solidarity from the bankers. Said Mr. W. H. Hoover, President of the United States National Bank, Denver, addressing himself to Pat Hamrock:

"I want you to know that the good citizens of the community are behind you in your efforts directed to law enforcement, and should you be called upon to incur any expenses in defending the threatened suit referred to in the news columns of our newspapers a few days ago, we will be ready to render you our aid and financial assistance."¹⁷⁾

This is a message of encouragement to Pat Hamrock to spare no laws in his drive against the workers. It is a pledge to help him against the threatened suit of the Civil Liberties Union for his violation of numerous laws in hounding Wm. Z. Foster.

Conclusion.

The employers' associations are an integral part of the gigantic machine that the capitalist class controls—the State. This machine is an instrument in the hands of the employing class to oppress the workers and perpetuate the existing order of exploitation.

In his discussion on the purchase of the Senatorial seat by Newberry, Senator Norris of Nebraska declared:

"We have come to a time now when you have to show your colors and obey the command, or in some

17) The Denver Express, August 28, 1922.

future election you will find yourself without friends and without money."

The late Franklin K. Lane, formerly Secretary of the Interior, published a book containing his letters to men in public life. In one of these we are presented with a picture of the relations between business interests and Government. This letter is written to a friend in California.

"The thing I find that hangs over all Presidents and other public men here in Washington to terrify them is the fear of bad times.

"These people undoubtedly have the power to bring on panics whenever they want to and to depress business, and they will exercise that power as against any administration that does not play their game.

"The 'Money Power', as we used to call it, allows the President a certain scope—a field within which it may move. But if it goes outside that field and follows policies or demands measures which interfere with the game as played by the high financiers, they do not hesitate to use their big stick, which is the threat of business depression."

These employers' associations always pose as the representatives of the "public", as seen from the following announcement sent broadcast by the United States Chamber of Commerce.

"In a controversy between shippers and railroads and between employees and railroads, this agency would have a duty to bring in considerations of general public policy."

Behind this screen the employers hide many of their crimes against the workingmen.

During the war the United States Chamber of Commerce, leader of the Employers' Associations of the country, organized itself into numerous committees to handle war contracts and to

assume actual Governmental powers. At the head of these committees were placed "dollar-a-year" men. Thru this network of committees which has served as a model for all employers' organizations the United States Chamber of Commerce secured 3014 contracts for shells, etc. totalling nearly four billion dollars and contracts for constructing powder plants, manufacturing nitrate gas, powder, etc., amounting to \$311,000,000.

Besides these business committees that determined the Government's policies there were also organized committees on the suppression of free speech, the election of representatives to State and National bodies, on banking, water power, highways, and also card-indexing every one who has ever spoken or acted against the employing interests.

In the preparations for the new drive against the workingmen, the Employers' Associations are resorting to the old method of dividing the workers before attacking them. This is one of the outstanding aims of their agitation against foreign-born workers. The employers want to divide the workers along national lines in order to break their class solidarity. This is the basis for the proposal of the New York State Chamber of Commerce for finger-printing all residents and instituting a general registration system. The declared aim of this measure is to check "undesirables" and to "uphold the laws." In practice it would serve as a means of facilitating the persecution of workers who dare to protest against the tyranny of the employing class.

In getting ready for the coming great struggle with the employing class the workers must be prepared to face the powerful array of forces marshalled in the employers' associations as well as the Governmental forces of oppression controlled by the capitalist class. The workers should not fail to recognize that these Associations, speaking for the "public", are only fight-

ing for the profits of the employers; that they are only auxiliary organizations to help the Government act as a strikebreaker.

These Employers' Associations are extra-governmental political organizations regardless of the name they mask under. They are a mighty force controlling newspapers, schools, legislatures, churches, and numerous other agencies for moulding opinion against the workingmen struggling for more decent living and employment conditions.

The Chambers of Commerce, the Rotary Clubs, the Kiwanis Clubs, the Trade Boards, the Manufacturers' and Commercial Associations are the sworn enemies of the working class. The workers must treat them as dangerous implacable foes.

CHAPTER XI.

THE PRESS DOES ITS BIT

ONE of the powerful allies of the employers in their offensive against the workers is the press. The newspapers of America wield a tremendous influence. They drive men out of public life. They veritably lynch some when it behooves their masters. They defy others when the situation demands it. The newspapers try court cases and make men innocent or guilty. Thru the outright ownership of the newspapers, by advertising subsidies, the employers completely control our sources of news.

In the class war the newspapers serve as the advanced sales agents of the employers. They make "moral" or "legal" the demands of the capitalists and condemn the demands of the workers. Truth is at their mercy. In the "grand offensive" against the workers and the campaign of resistance waged by the working class the newspapers thruout the country loyally served the interests of the employing class.

What the concentrated control of the press means has been lucidly stated by A. G. Gardiner in his discussion of the newspaper situation in England. Mr. Gardiner is one of the best known English editors and in his recent article "The Control of the British Press" he described the English conditions as follows:

"The following six men own practically every great popular paper in the country—every paper with a circulation of a million or more: Lord Rothermere, Sir Edward Hulton, Lord Dalziel, Sir William Berry, Lord Beaverbrook and Lord Riddell.

"They send out from London every week-end ten million weekly papers—roughly, a paper into every household in the country. Their control of the daily press is no less overwhelming.

"They supply us with the news they please and keep from us the news they please, and make us believe what they want us to believe.

"And when we ask who they are who wield this enormous power over us, by what authority they exercise it, what they have done to justify confidence in their judgment, there is nothing to say, for they have done nothing.

"Not one of them has a name which has any significance for the public or stands for any idea except the money power.

"They are powerful only because they have applied the Big Business instinct to the press."

We need but look at *Wallace's Farmer*—the official organ of the Secretary of Agriculture Wallace for an American picture of the above conditions. This paper is heavily subsidized by millionaire advertisers. In turn Mr. Wallace wages an energetic campaign and conducts a vicious propaganda against the workers, and paints the bankers and grain elevator owners as the friends and saviors of the farmers.

The Press—A Servant of the Employing Class.

Instances of suppressing news and telling half truths and no-truths are legion in the history of American newspaperdom. We will limit ourselves only to outstanding instances of the recent labor struggles and to cases fundamentally involved in the conditions making for the recent strike wave. Said Mr. Frank Julian Warne before the Interstate Commerce Commission:

"Let me briefly call your attention to only a few as disclosed in official investigations of the Interstate Commerce Commission.

"I refer, first, to the expenditure of \$53,000 by the Louisville & Nashville 'in a publicity campaign in Alabama in the endeavor to mold public opinion thru the medium of the press'; to other expenditures by the same road 'to finance a campaign in Louisiana to prevent the change of tax laws'; the expenditure of at least \$120,198 in Tennessee for the purpose of combatting legislation in that State; the expenditure of \$43,000, of which \$24,750 was invested in bonds, on account of the American Publishing Company, publisher of the *Nashville American*. Reference has been made to a director of the Erie Railroad who was also a stockholder in the *Journal of Commerce* and the *Commercial Bulletin*. I also refer to the investment of the New York, New Haven & Hartford of some \$400,000 in a Boston newspaper.

"The facts disclosed by the Interstate Commerce Commission (6569, I. C. C., 34) in regard to this New Haven publicity situation clearly shows how public opinion was distorted; how newspapers that could be subsidized were subsidized; how a college professor and publicist secretly accepted money from the New Haven, while masking as a representative of a great American University and as the guardian of the interests of the people; how agencies of information to the public were prostituted wherever they could be prostituted."

Mr. Frank Julian Warne proceeds to quote from the findings of the Interstate Commerce Commission regarding the New Haven dealings:

"The unwarranted expenditure of large amounts in 'educating public opinion.'

"The disposition without knowledge of the directors, of hundreds of thousands of dollars for influencing public sentiment.

"The habitual payment of unitemized vouchers without any clear specification of details.

“Attempts to control utterances of the press by subsidizing reporters.

“Attempts to stem the tide of adverse popular opinion.

“‘Education’ of the public upon economic issues such as are here in question is not any part of the province of a corporation, says the commission, and it adds further that such ‘educational’ use of corporate funds is ‘a gross injustice to the stockholders and the public’.”

Then Mr. Warne goes on to say:

“Those of you who read the daily newspapers regularly, as most of us do, can not have failed to notice the large number of ‘inspired’ news articles and editorials recently, and especially in financial publications, on the subject of the dire straits the railroads are in because their present operating income does not produce six per cent on their property investment. . .

“The present widespread and expensive publicity methods of the railroads to mislead the public on the situation with regard to their property investment account and their operating income is nothing new, but is merely a continuation of the sinister methods they have employed in the past to misdirect public opinion in the rate cases before the Interstate Commerce Commission. So insidious and harmful were these methods that this Federal Commission felt constrained to denounce that ‘campaign of publicity’ on the part of the railroads in no unmeasured terms. . .”¹⁾

How this policy pays the corporation is clear from the following incident. In January 1922, the Interstate Commerce Commission placed a valuation of \$45,051,000 on the property of the New York, Ontario and Western Railroad. This Company had claimed a “capital investment” of \$85,101,000. It

1) Hearings Before Senate Commission on Interstate Commerce, Pursuant to Senate Resolution No. 23, 67th Congress, 1st Session, Vol. III, pages 1285-1287.

had issued stocks and bonds to the sum of \$98,091,000 par value. It is evident, therefore, that over 50 per cent. of the corporation's securities was watered stock pure and simple. And it was on such stock that the company was pleading for a six per cent. profit rate.

The farmers have been particularly insistent in their demand for lowered freight rates. But our press has hidden from the farmers the fact that the railways are demanding high profit rates on fictitious capital. The *Chicago Tribune*, having a large circulation amongst the farmers of the middle west, treated this report of the Commission in the following typical newspaper manner:

"A tentative value of the New York, Ontario and Western Railroad of \$45,051,000 was found today by the Interstate Commerce Commission. This covers the property used by the road in its transportation operations, whether owned by it or not."

This newspaper did not say a word to the farmers about the fact that the case of the New York, Ontario and Western Railroad was a typical case of highly watered stock upon which huge freight rates are paid. The *Chicago Tribune* completely hid from its readers the fact that the railway company had sought to receive six per cent. profit on \$53,000,000 non-existent capital.

The Washington newspaper *Labor* in its issue of March 18, 1922, presents the results of an investigation it had made of the following newspapers: *The New York Times*, *Herald*, *American* and *Sun*; *The Washington Star* and *Post*; the *Philadelphia Public Ledger*; the *Pittsburgh Dispatch*; and the *Chicago Tribune*. The object of the survey was to find out what news these papers considered as "fit to print" or of sufficient importance to their readers. The summary of the test follows in part:

"On Tuesday, February 1, Senator Cummins, of Iowa, made a speech in the Senate exposing the attempt of the railroads to induce the Interstate Commerce Commission to value their land holdings at 2, 3, or 4 times the value of adjoining land. This would mean an increase in the value of the roads of from 2 to 6 billion dollars. Capitalized at six per cent, it would add from 120 million to 360 million dollars to the yearly profits which the roads would be entitled to collect from the shippers.

"That's more than we can possibly hope to save thru the limitation of naval armament agreed to at the Washington Conference.

"Labor regarded that story as of national interest, but not one of the nine papers examined devoted a line to it.

"On the same date, Congressman Davis, of Tennessee, and Congressman Hardy, of Texas, addressed the House denouncing the Shipping Board's plan to sell our Merchant Marine at bargain-counter prices. Congressman Hardy, one of the oldest and most conservative members of the House, described the affair as the 'boldest steal ever perpetrated in the history of the United States.'

"According to *Labor's* standards, that story was worth a 'first page display' but, only one of the nine papers examined noticed it. . .

"On Monday, February 20, Senator Tom Hefflin, of Alabama, addressing the Senate, attempted to fix responsibility for the policy of deflation which has destroyed 50 billion dollars in this country in less than two years. He called attention to the fact that on May 17, 1920, the Senate had adopted an innocent looking resolution presented by Senator Medill McCormick, and he declared that this resolution had been accepted by the Federal Reserve Board as an invitation to put the screw to business and deflate prices.

"The historical value of this resolution cannot be easily overestimated. It purported to mark the exact

moment when certain interests launched a movement which resulted in the impoverishment of tens of thousands of farmers, industrial workers and small business men.

"None of the nine papers examined, however, regarded it of sufficient importance to devote a paragraph to it.

"It is certain that when these three events were transpiring the newspapers referred to were represented in the press gallery, either by their own special correspondent or by a representative of one of the news gathering agencies.

"Why did they fail to print these stories?

"We believe there is no escaping the conclusion that this important information was kept from the people, because the interests that controlled the newspapers did not want it printed."

When class interests are involved the newspapers drop their formal filmy political differences and line up solidly to protect the interests of the employers who control them. This was the case in the 1922 Senatorial contest in North Dakota. Anent this, Mr. H. P. Paulson, managing editor of the *Fargo Forum*, leading Republican newspaper of North Dakota, thus declared in an interview:

"Every Republican daily newspaper in North Dakota, including the *Bismarck Tribune*, the only paper that supported McCumber, is urging the election of Mr. O'Connor."²⁾

Nor do our papers limit themselves to suppressing and falsifying news regarding the struggles of the workers at home. They follow the same policy regarding the conflicts between the employing class and the working class abroad. When the German railway workers struck in the early months of 1922, the Ameri-

2) N. Y. Times, November 4, 1922.

can newspapers reported a complete defeat for the workers. The result of the strike was entirely different. The workers were granted their 20% wage increase and the union treasuries confiscated by the Socialist Ebert, were returned. But the American newspapers thought it inadvisable for our workers to learn of this victory of their German brothers. We were therefore told that the railway workers in Germany received a disastrous defeat at the hands of their employers.

Preparing the Grand Offensive

This is how the employers of Seattle advanced their open shop campaign. Their official admission reads:

"The display advertising—some fifteen full pages and many smaller spaces in all three newspapers—was resorted to, not from inability to get full publicity in the news columns, but from the desire to attract public attention forcibly and crystallize public opinion quickly, by striking publicity, overwhelming in its volume. The purpose and the expense were justified by the result."³⁾

In the following editorial excerpts of some of our leading papers, we are presented with a series of pictures in "moulding public opinion" in behalf of the employers and against the workers.

N. Y. TIMES, DECEMBER 8, 1921

"Intelligent American workmen have begun to realize that 'collective bargaining by representatives of their own choosing' far too often means needless loss of time and wages. It is generally the power-loving, graft-loving 'representative' who 'collects'. That is why even union men welcome employee representation as they have done in the packing industry and on the Penn-

3) "The American Plan," Associated Industries of Seattle, Page 3.

sylvania Railroad. And that is why, in time, union leaders have, in both cases, declared strikes against this new and more salutary form of collective bargaining. In a recent statement Mr. Atterbury said that two groups of employees of the Pennsylvania had 'selected solid union committees' to represent them in the industrial congress and that these union men had 'agreed upon' permanent methods of settling all 'grievances' without calling in the old line union 'bargainers'."

The press also pursued a vigorous campaign for wage cuts and the open shop. Commenting on the report written by Noel Sargent on "The Economics of the Open Shop," *The New York Times* editorially said, that this investigation

"has proved that union leadership as it exists today is grossly incompetent in protecting the true interests of the workmen and flagrantly antagonistic to the welfare of the nation as a whole. Past gains have been made by fighting and could not have been otherwise achieved; but to cope with the present conditions new tactics are requisite."⁴)

These are the methods pursued by the metropolitan press in undermining the confidence of the workers even in conservative trade unions and in agitating for such court decisions as rendered by the Supreme Court in the Coronado case.

And Christy Thomas describing the benefits of the Open Shop in Seattle in the *Review of Reviews* for November 1920, said:

"A practical result of the new condition in Seattle is that thousands of union men and non-union men have buried their differences and are working side by side in peace in the city's manufacturing plants. I am convinced from recent talks from both employers, and the workers there, that the labor situation as a

4) Quoted by "The Open Shop Encyclopedia", page 86—prepared by the Open Shop Dept. of the National Ass'n of M'frs.

whole is constantly improving. In a number of large industries, where only union men are employed, no hint of trouble between the men and their employers is found. Labor, in these cases, is showing not only a desire to keep at work, but is co-operating towards the common goal—increased production. It is because of this that capital has become more lenient toward labor, which is now rapidly regaining much of its old line efficiency.”

The Press Welcomes Labor Treason.

A. N. Y. SUN, OCTOBER 25, 1922.

“With expressions of gratitude to the employees who stayed at their job during the recent strike of shopmen, the Southern Railway includes tangible evidence of its appreciation. To every such employee it offers \$350 either in cash or preferred stock of the road.

“These men made sacrifices in order to serve their employers in their emergency. Many doubtless lost friends among their fellows who went on strike. They worked when the other group considered that the shopman who did not strike was their enemy.

“Loyalty to the job is a thing our great corporations are learning gradually to attain. In proving that they mark and appreciate the true man, they will rouse in men the instinct to be true. The honor and the mark of appreciation form the biggest part of this reward, substantial as it is.

“Nor can work be measured readily in terms of dollars and cents. A man heartily cooperating with the institution he serves gives much above the minimum of tangible accomplishment on which his job depends.”

B. N. Y. EVENING POST, OCTOBER 16, 1922.

“In labor unions, as in all other institutions, conservative and radical ideas continually do battle. Less than two months ago, the country shivered at the thought that the four great brotherhoods might seek to save the

striking shopmen's cause by following the syndicalist's advice of W. Z. Foster, 'Federate'. But the brotherhoods, while using their good offices in behalf of their fellow workers, refused to be drawn into the conflict. Now, by decentralizing in regard to wages, rules, and working agreements, organized railway labor has given a flat and final negative to the radical proposals.

"Mr. Lee of the trainmen, who long ago earned the right to be considered a labor statesman of the first rank, is spokesman for the new dispensation. His words show that the leaders of railway labor learned certain lessons from the shopmen's strike. The most important of them is, that a national transportation strike constitutes so serious a menace to the country, that Government must intervene. 'No sane government,' he said, 'would permit any faction or class to paralyze the transportation business of the country. The only way out was to separate.' This does not mean acquiescence to things as they are, but rather return to the successful strategy of the days before the Adamson law. Henceforth the methods that made the Brotherhoods dominant and beneficial to their members, are to be followed. Pressure will be exerted sectionally instead of nationally. There will be no threat of another nation-wide rail strike as long as the present leaders are in control.

"From the point of view both of labor strategy and the growth of a better feeling between carriers and unions, we welcome the new tendency to settle disputes as they arise, sectionally and by organizations, instead of resorting to the Labor Board, as a court of first instance. The Labor Board's undeniably useful functions should be those of a court of appeal.

"The advantage to Labor is apparent. Instead of confronting the police power of the nation and an aroused public opinion, railway labor can now attack in detail when and where it has a case and conference fails to adjust the differences. Moreover, the business community, in the altered situation, will more and more come to recognize the long standing truth that conserv-

ative, intelligently led Labor Unions are safeguards of industrial and social progress and buttresses against radicalism and Social Revolution. The attempt to Federalize railway labor has failed; likewise the attempt upon the part of certain railway leaders to break the unions, has failed. A path has been cleared for sane evolution in the labor relations of a basic industry."

*The Press Preaches Employing-Class Solidarity
at Herrin.*

In its issue of October 1922, the *Illinois Journal of Commerce*, official organ of the Illinois Chamber of Commerce, publishes a digest of press comment on its campaign to raise a fund for the prosecution of the Miners at Herrin. Among the quotations, we find the following press comment:

A. MILWAUKEE SENTINEL.

"The Herrin Mine Riots, it is now definitely established, will not be permitted to remain uninvestigated. The press of the whole country has been insistent in its demand for an inquiry, and it is to the credit of the state of Illinois, that its own citizens have taken a leading part in the movement. . . .

"In view of the concerted refusal to let the memory of the murders 'glow over' and bury sanguinary incident in silence, it cannot properly be charged that the state of Illinois as a whole is any longer on trial. With the calling of a grand jury, the responsibility is narrowed down to the county which was the scene of the outrages."

B. MARION STAR.

"It is refreshing to know that investigation is to be a sincere effort to ferret out the guilty and not a white-washed affair."

This is the open expression of President Harding's private official organ.

C. THE INDIANAPOLIS STAR.

"Believers in law and order the United States over, will be encouraged and gratified to know that steps have been taken by Illinois authorities to reach and punish the perpetrators of the Herrin massacre. Certainly there should be prompt and liberal response. . ."

D. GRAND RAPIDS NEWS.

"Justice handcuffed because of a lack of money! It doesn't sound quite right. But it is gratifying to see the business men of Illinois awakened to the fact that this crime must be investigated and the guilty persons punished. Because the murdering was done wholesale, is no reason it should continue to go unnoticed by the authorities as it has."

E. OKLAHOMA CITY OKLAHOMAN.

"It is a poor commentary on justice in Illinois that it is necessary to raise private funds to bring about the proper handling of such an outrage as that at Herrin. But, in as much as it appears nothing definite will be achieved otherwise, the Illinois Chamber of Commerce is doing the right thing in getting behind the prosecuting officers and stirring them up to action. . . .

"The Herrin Massacre was a crime which was heard around the world and which probably raised in the minds of many foreigners a doubt as to whether there is, after all, in the United States, the boasted freedom guaranteed by the American Constitution.

"Every person who participated in the Herrin Massacre should be punished—not only those who did the killing, but those, also, who planned and directed the conspiracy."

And when the New York *World* learned of the pledge of President Frank Farrington of the Illinois miners to support the workers on trial, it said in its issue of September 1:

"This is a dangerous doctrine for a union leader to preach—more dangerous to unionism than to the public. For it ranges unionism on the side of violence and crime and against the forces of the law. It amounts to an attempt to make membership in the miners' union the sole issue in the Herrin case, regardless of evidence. It comes very near putting the union in the position of sheltering murderers if they happen to be members.

"No enemy of the miner's union could have placed it in a worse light before the public than President Farrington has done by his reckless utterance."

This "reckless utterance" was in part as follows: "The very magnitude of the agitation which was nationwide in connection with this trouble, jeopardizes the lives and freedom of innocent men and makes it necessary that the state organization furnish every possible means of defence for our members, and that we shall do." The crime of the workers in Herrin was self-defense. The crime of President Farrington is that he has pledged the resources of the miners to defend their brothers.

F. VISALIA (CALIFORNIA) TIMES.

"It seems strange that the Illinois Chamber of Commerce should find it necessary to raise funds to finance the prosecution of the Herrin offenders. The government of Illinois is not bankrupt, so far as is known. Neither is there any lack of judicial machinery to meet any demands growing out of the Herrin incident.

"Just why months have been permitted to pass with the Herrin murderers still at large, why it should be necessary for the President of the Nation to intervene in the affair, and why a prosecutor is obtained from outside of the state are some of the things that are certain to make American citizens do some wondering. It may be that eventually the government of Illinois will deem it expedient to clear up these puzzling features of the case."

G. N. Y. TRIBUNE.

"It is nearly two months since members of the Herrin mob tortured and killed in cold blood men who have taken the places of strikers in working the strip coal mines. A coroner's jury in an extraordinary finding, blamed chiefly the mine superintendent who was shot down. Not an arrest has been made. Williamson County officials have made no apparent effort to bring anybody to justice, although it must be notorious in the vicinity, who were the ringleaders of the lynching. The Attorney General of one of the wealthiest states in the Union, has not enough at his disposal to detect and prosecute the criminals!

"It is no wonder that leading citizens of Illinois have come forward asking all business men of the state, to contribute to the utmost 'in order to prove to the world that justice still reigns and human life is safe in Illinois.' . . .

"In the appeal of the Illinois Chamber of Commerce for funds to enable the state's Attorney General to make a real investigation, there is welcome evidence of determination to fasten on the murderers the guilt of the Herrin massacre."

H. EVENING POST (CHICAGO).

"We owe to the Illinois Chamber of Commerce a debt of gratitude for giving us the leadership and the opportunity which makes it possible for the people of the state to prove that they are not indifferent to lawlessness; that wholesale murder is not tolerated; that there is a public sentiment and a force for decency in Illinois which refuses to take the Herrin Challenge lying down."

I. CHICAGO—JOURNAL OF COMMERCE

". . . This is not time for superficial action, no time for a cursory examination which may lead to a few indictments. There should be money enough in the Herrin

prosecution fund, to enable the arm of justice to reach out to the furthest extent. . . .

"The fund campaign has been put under the direction of representative business and professional men. Every man named by the Illinois Chamber of Commerce has the confidence of his neighbors."

J. THE ST. LOUIS GLOBE DEMOCRAT.

"One of the most American of movements."

K. THE DALLAS JOURNAL.

"A fine example of civic interest."

L. THE BANGOR (MAINE) COMMERCIAL.

"At last there is promise of action."

And when the special grand jury returned 214 indictments against the workers, the press applauded. We cite the findings of the *Literary Digest* for October 14, 1922.

Richmond Times Dispatch.—"No lack of courage or sense of duty."

New Haven Journal Courier.—"The law of the land takes on a new dignity, and America is still America. To Delos Duty—splendid name—state's attorney of Williamson County, to the Attorney General of Illinois, and to the members of the Grand Jury, men and women of every state, wave thanks and appreciation. The flag lifts its drooping folds."

Philadelphia Evening Bulletin.—"A public which continues to tolerate strikes as a means of settling industrial disputes, knowing that in greater or less degree, they are provocative of violence, that the murderers of Herrin differ only in their massing from murders committed in the name of labor every year in the rancor of strike struggles—the public which continues to wink at strikes, must accept partial responsibility. It can

vindicate itself only by a declaration and determination that the strike shall be considered as an anachronism in present civilization, and that it shall no longer be tolerated. Punishing the violence at Herrin is superficial treatment."

N. Y. Times, Sept. 25, 1922.—"The findings and presentment of the Illinois Grand Jury, after its thorough investigation of the Herrin Massacre, ought to be thought of as 'duty reading' by all Americans. Here they will find set down, as determined after hearing hundreds of witnesses, the causes, origin and successive steps of as lawless and bloody an affair as ever disgraced the annals of any country. . . .

"If the narrative thus officially set forth is enough to shame and sicken Americans, they may at least have the consolation of knowing that a fearless judge and a resolute grand jury have done their best to uncover this awful crime and to punish the criminals."

The Textile Strike

We have seen how miserably paid the textile workers are. We have seen the wretched living conditions forced upon them by their employers. But the press waged an energetic campaign of propaganda, misinforming the mass of readers as to the actual conditions of the textile workers.

A. THE LOWELL COURIER CITIZEN

"During the war textile wages went up by leaps and bounds to meet the necessities of the war condition. The result of it all was a textile wage scale here that was something like 150% of increase over pre-war conditions. Since the war ended, the 'deflation' of wage scales has proceeded but slowly.

"The wage scale obviously cannot continue at its highest levels if the local textile mills expect to be able to compete with other textile centers, particularly those in the South. It seems the part of better judgment to get orders, keep the mills running and have more

and more people employed, even at lower pay, instead of forcing short hours, limited employment and steady loss of business by holding up the wage scale at a prohibitive figure.

"The wage earner is entitled to his proper proportion in the costs, but he also is interested, just as any business man is interested, in doing business at as good a price as he can—and still get the business. That appears to be the whole matter in a nutshell."

B. THE SPRINGFIELD REPUBLICAN

"High wages cannot be maintained, with foreign markets half dead and agriculture prostrated. For the farming population of the United States accounts for a large share of the industrial output."

C. BROOKLYN CITIZEN

"Economic conditions furnish a good warrant to the textile mill owners for their action. It is impossible for them to keep wages and hours of labor up to the level of prosperous times in the most severe trade crisis the country, perhaps, has ever experienced."⁵⁾

The following statement sent in a letter to unions and local affiliations by Sara A. Conboy, International Secretary of the United Textile Workers of America, throws further light on the role of the press in the Textile strike:

"The capitalistic press of this country is spreading untruthful propaganda, that the New England textile strikes are settled.

"This propaganda is for the express purpose of cutting off finances with which to purchase food and clothing that has been so generously given to these strikers.

5) Literary Digest, February 25, 1922, page 13.

"Six mills in Lawrence, two mills in Rhode Island, two in Lowell and one in Ware, Massachusetts, have settled. The whole state of New Hampshire, comprising the cities of Manchester, Exeter, Suncook, Dover, Nashua, Somerset and New Market are still on strike. About 33,000 men and women are employed in these mills. The Blackstone Valley of Rhode Island with its three thousand people, must also be fed.

"This letter is sent for the purpose of refuting the statements made in the press that all strikes are settled, and we ask you to continue your efforts to the end that these strikers may win their eight months' battle. . ."⁶⁾

Mine and Railway Strikes

Said *The New York Times* in its issue of November 4, 1922:

"No monopoly is more odious than that of labor. It is the culmination of inhumanity toward all other classes. It matters not on what promises of good behavior the monopoly may be established, because this union is notoriously faithless. . . ." (Our italics).

The newspapers lost no time in preparing the offensive against the railway workers. When the Railway Labor Board abolished the National Agreements, the dailies of the country were filled with joyous comment:

This from the *Buffalo Commercial*:

"In the larger sense, this decision is no defeat for labor, no victory for the railways; but a victory for the people of the United States who know that only by a decided reduction in the pay of the operating expenses can rates be reduced and business generally revived."⁷⁾

6) American Federation of Labor, Weekly News Letter No. 599, September 30, 1922.

7) Buffalo Commercial, April 15, 1921.

As soon as the strike appeared a certainty, the newspapers opened their heavy artillery on the workers.

A. FARMINGTON (CONNECTICUT) HERALD

"There would be more sympathy with the unskilled railroad labor protest against reduction in wages had not factory workers and others throughout the country, and especially in New England, suffered far more than the railroad men."

B. OKLAHOMA CITY OKLAHOMAN

"If a strike is ordered it will be in defiance of a branch of the government and should be so treated by the Harding administration.

"The railroad workers would not succeed with a strike. A strike would be a blow aimed at the public and would be resented by the public. Without the support of public opinion, the strikers could not hope to win.

"If a strike is ordered, the Government should use whatever legal measures are at its disposal to prevent the conspiracy from going into effect. And it should step in and give the railroads whatever protection is necessary for the operation of the lines."

C. CLEVELAND (OHIO) COMMERCIAL

"The public will expect the workers to view the decision from the standpoint of economic facts, gracefully to accept it, and honestly to assist the country in getting back to normality. This is no time to strike and we believe that thinking railroad employees know this as well as anyone else."

D. THE NEW YORK TIMES

"That the railway workers are condemned to poverty is nonsense. They can rise in the railway ranks or they can take better paying work if they can find it. Wages come from production, and in the railway in-

dustry there are no excess profits applicable to the payment of wages. But there have been excess wage payments.

"The Board resents the statement that it reduces wages inhumanly, and asserts that the railways were able easily to contract for work more cheaply than the Board's rates."

E. BANGOR (MAINE) COMMERCIAL

"If a strike should take place against an order of the United States Railway Board, which is just as much a branch of the United States Government as any other department then it is a strike directly against the Government of the Nation and nothing else."

F. FINDLAY (OHIO) REPUBLICAN

"Public necessity has required cheaper railroad costs. The readjustment necessarily includes that part of the traffic and wages which represent an attempt to reach the peak of high prices during and immediately after the war. It is not a reduction in income for railroad workers or operatives, so much as it is an effort to make everybody's dollar buy more."

G. NEW YORK SUN

"What the leaders of those Railroad Unions are fighting against, therefore, is not as they say it is, a wage readjustment by which workers are 'degraded below a level of bare animal existence.'

"They are fighting to perpetuate an abnormal railroad charge that makes it impossible for the public which pays all the transportation bills, to get lower freight and passenger traffic rates to correspond with the public's own reduced wages and earnings."⁸⁾

8) American Railroads, published by authority of the Ass'n of Railway Executives, Vol. 3, No. 7, June 26, 1922, page 4.

H. PHILADELPHIA PUBLIC LEDGER

"This strike is a test of the Esch-Cummins Act, an attack upon its most forward-looking provisions. In 1920, the Nation tired of civil war between railmen and management, passed this law to prevent these perennial feuds. . . .

"Rail labor does not like the decisions and it quits. Its aim is to smash the Labor Board, regardless of the fact it was created by Congress at the will and request of the nation.

"Outlawed by the railroads, by the Labor Board, by public opinion and frowned upon by the Government! That is the pass to which Jewell had led his followers."

Undermining the Railway Strike

During the strike the press was busily spreading reports that the workers were committing crimes, that they were interfering with mail cars and that they were resorting to violence. In a statement issued by Mr. H. W. Strickland, Industrial Secretary of the Railway Mail Association the lie is given to this propaganda.

"The press throughout the country is carrying reports of alleged interference with mail cars and mail trains by the striking shopmen; and the Railway Mail Association has been requested to get or send in information on this subject. Up to the present time, we have not had a report from a local officer of the Association of a single case of this kind; and it is evident that much, if not all, of such publicity is for the purpose of propaganda and is without foundation or fact."

How close the cooperation between the Government and the press in their strikebreaking activities was throughout the struggle is evidenced from a "confidential report for clients only"

sent out on September 2, 1922, by one of the leading news agencies of the country in Washington.

“Newspaper representatives at the Capital have been informally, but authoritatively advised that conditions are so tense in some parts of the country, that it is the duty of the press to be extremely careful in the handling of news.

“Journalists were rather amazed when this information was passed to them from the highest quarters as they are not acquainted with any facts that warrant so grave an anxiety.

“We have hinted at intervals for some months past of intimate reports reaching the Department of Justice following the Burns investigations in relation to certain bolshevistic activities.

“Likewise, it is true that there have been violent outrages, including kidnapping in connection with the railroad strike, not reported generally in the press.

“We have been unable, however, to secure direct information of the character the authorities must have to justify their real apprehension.”⁹⁾

No wonder that Daugherty boasted to a company of Washington correspondents of his having 90% of the American newspapers in back of him and that these papers were of course “the decent journals of the country.”

These “decent journals” worked overtime attributing atrocity stories to the workers. On September 3 a three story Pennsylvania Railroad warehouse was burnt at Pittsburgh. This warehouse was at that time being used to lodge strikebreakers, seven of whom died in the fire. The next morning the *New York Herald* appeared with a feature article captioned as follows:

9) “Labor” Sept. 16, 1922.

EIGHT PERISH IN FIRE BLAMED ON STRIKERS

TEN ALSO HURT IN BURNING OF A PENNSYLVANIA
R. R. REPAIR SHOP IN PITTSBURGH

TWO MEN IN CUSTODY

RESCUERS PELTED WITH STONES—BUILDING BELIEVED
TO HAVE BEEN SATURATED WITH OIL.

This "atrocitv" was investigated by a coroners' jury which issued a report entirely disproving these charges. The report was ignored by most of the papers and *The New York Times* saw fit to hide it in a corner on one of its inside pages. In its issue of September 13, 1922, the coroner's jury findings were reported as follows:

"PITTSBURGH HOLOCAUST ACCIDENTAL

"Pittsburgh, Pennsylvania, Sept. 12. — A coroner's jury, investigating the fire which destroyed a Pennsylvania Railroad bunkhouse here on Sept. 3, with a loss of seven lives, tonight returned a verdict censuring officials and employees of the company for the condition of the building, and holding that the blaze was accidental."

Even this small news item was "cut". The complete news dispatch, meagre as it was, contained another paragraph which was omitted by *The Times* and which reads as follows:

"The jury held that the bunkhouse, converted from a repair shop, was used to store inflammable material; that city laws governing alterations of buildings were violated, that exits were inadequate, and that the railroad fire fighting equipment was useless because of inefficient organization."¹⁰⁾

10) See Pittsburgh Despatch printed in Brotherhood of Locomotive Firemen and Enginemen's Magazine, October 1, 1922, page 5.

We quote the following from the *Daily Bulletin* of Bloomington, Illinois, exposing the fraudulency of the violence propaganda indulged in by the *Chicago Tribune*.

"The *Chicago Tribune* under the caption 'Voice of the People', published a letter from H. G. Allen entitled 'Free Speech in Kansas' which makes mention of Bloomington and the strike situation here. The things referred to did not happen here, nor were they published in local newspapers. The following is a part of the article in which this city is mentioned and in which a false impression is given concerning local conditions.

" 'Recently, in passing through Bloomington, Ill., I read in the local newspapers the reports of attacks that had been made upon the workers in the shops there by strikers. In one instance a man had his arm broken by a blackjack in the hands of a striker. In another instance, a worker had saved his life by promising the strikers who were attacking him, that he would leave town. The newspapers that reported these and other instances also contained an expression from the local officers in Bloomington, that they were powerless to prevent these attacks.' "11)

This is the way our newspapers were weaving news against the strikers out of the whole cloth:

"The *Memphis (Tennessee) Scimitar*, a leading southern paper reported on August 31, that R. E. Buchanan, the Frisco's general agent at Memphis, had received a 'black hand' letter, threatening him bodily harm. Mr. Buchanan took the *Scimitar* to task for publishing a fake and it printed a correction and apology. The next day Mr. Buchanan received the 'black hand' letter, showing that the *Scimitar* reporter had gotten the news before it happened.

11) From reprint in "Plumbers, Gas and Steam Fitters Journal", Sept. 1922, page 25.

"About the same time the *Little Rock (Arkansas) Daily Gazette* published a story to the effect that dynamite had been exploded at a strikebreakers' boarding house at Harrison, Arkansas, blaming the 'crime' on strikers. The *Gazette* went to press before the explosion occurred and it could not know of course, that it didn't happen at the boarding house, but on an empty lot, a half mile distant, and was notoriously a frame-up."¹²⁾

At the close of August the Cleveland newspapers were busy turning out thrilling stories of unspeakable violence committed by the workers against the strikebreakers. Screaming headlines, first page stories, and illustrations featured the lie-fest. The truth of the matter came to light in a local paper. This exposed the persistent misinformation spread by the Cleveland newspapers in general. The dispatch read:

"City police were unable Friday to find traces of an attempt to dynamite the New York Central's Cuyahoga Bridge, reported Thursday night by railroad police.

"Three railroad guards fired thirty shots at 'four stealthy figures', which they said they saw at the E. 71st Street end of the bridge.

"The railroad men based their report of an attempted dynamiting on an alleged discovery of a 'hole as large as a dish-pan' in the soft earth near one of the bridge piers.

"Police, after scouring the vicinity said they were unable to find the hole.

"Fred Snare, in charge of the railroaders said the 'dynamiters' opened fire and his men returned it until the 'dynamiters', their ammunition exhausted, dived into the river and escaped.

"Twenty minutes after the shooting police and deputy sheriffs were controlling the bridge.

12) From the "Farmer-Labor Union News", National official organ of the Farm-Labor Union of America, October 19, 1922.

"A train was about to pass over the bridge, but the engineer heard the shooting and waited until he was assured that there was no longer any danger.

"The report of the railroad policemen was termed 'propaganda against the shopmen on strike' by J. H. Vance, Secretary of the Collinwood Shopmen's Union."¹³)

Amongst the trump cards stacked against the strikers by Daugherty in his plea for the injunction was the conduct of the shopmen at Somerset, Kentucky, and Needles, California. Apropos of the first which had been given wide publicity in the press, the results of an investigation conducted by the New York *World*, completely exposed the fertility of the imagination of Daugherty and his loyal press.

"In his plea for the injunction against the railway strikers in Chicago, Friday, Attorney General Daugherty enumerated several instances of disruption of train service and pointed to them as explaining the necessity of the injunction. Among them was this:

"In Somerset, Ky., 25,000 cars of bituminous coal were congested in the railroad yards yesterday (Thursday). Vandals had tampered with more than five hundred cars there.'

"Yesterday the *World* telegraphed to Somerset, a little town on the Cincinnati, New Orleans and Texas Pacific Railroad to verify this statement. This was the reply received:

"No coal cars are tied up in Somerset; no cars have been tampered with'. "¹⁴)

The newspapers throughout the country and Daugherty, formal Attorney General for the United States Government, but actually chief counsel of the Association of Railway Executives, spread the report that the workers at Needles, Cal., and other

13) Cleveland Press, September 1, 1922.

14) N. Y. World, Sept. 3, 1922.

points on the Atchison, Topeka and Santa Fe Coast Line abandoned trains on the "desert" between railway terminals and thus subjected the passengers to cruel suffering and incalculable dangers. This is another case of newspaper imagination working overtime. We quote from an interview with Albert F. Coyle, editor of the *Locomotive Engineers' Journal*, with Mrs. Hannah Moeller, 70, when she was in Cleveland with her brother-in-law, the Rev. Charles J. Moeller, Pastor of the Cedar Avenue Methodist Church. This woman was one of the "marooned passengers" suffering on the "desert". She said:

"I can't see why anyone should be interested in our little experience at Needles. We were held up for a few days, and some of us had to change our plans in consequence, but none of us underwent any suffering or peril. The only person who was taken ill that we knew anything about was a young man of thirty or thirty-five, who had heart trouble. He had an attack with his heart, but that might have occurred anywhere. Of course he was promptly cared for. . . .

"When we got to Needles Thursday night we were told that we had twenty-five minutes for supper. After we had had a good meal at the Harvey House Restaurant, which gives excellent service to the patrons of the Santa Fe, we learned that the engine crews who were supposed to pick up the train there, refused to go on unless the half-dozen armed guards were taken off our train. The engineer who brought us into Needles had finished his run. He was supposed to stop there. He didn't desert the train at all. And, of course, Needles isn't hardly a desert—it's a very thriving little town. Of course it gets hot there—it does in Los Angeles, too. Indeed, Needles is supposed to be a healthy place, for a great many people go there to be cured of lung trouble because of the dry, pure air.

"We were very well fed, indeed, at the Harvey House Restaurant, which adjoins the station. The first two meals we paid for ourselves, and then the railroad

provided excellent meals without charge to us, until we started on our way again. The tables were bountifully supplied, and one could have all one wanted.

"Why, of course, we could have iced tea if we wanted, or cocoa, or coffee or anything else. There was always plenty of ice.

"The Harvey House has a fine, big lobby and we took life easy there or strolled around the streets of the city. Then when night came, we had our choice of sleeping in our berths or out on the lawn surrounding the station, or staying with the employees in their homes.

"Why, the railroad people, the men and their families who run the trains. There are hundreds of them living in Needles. They live there all the time. Some of them have very nice homes, too. They invited the passengers to stay with them if they wished, and some of them did. But, of course, we were very well cared for at the Harvey House Hotel, and I preferred to sleep on the lawn; it was the coldest place at nights. . .

"We all saw the armed guards, with rows of cartridges strapped around them and a gun at their side. Of course, it was inconvenient for some of us. We did not make the connections that we had hoped to make, and so we had to change our plans. But we did not feel angry at the engineer. We all knew why he refused to go on."¹⁵)

This was the way the strikers were committing violence and hurting the passengers. But President Harding, as chief spokesman of the employing class of America, cited this incident as proof of "the cruelty and contempt for law of some railroad employees." These are the "deserted trans-continental trains in the desert regions of the southwest" that have served as a strike-breaking revelation to our President Warren Gamaliel Harding.

And the official statement issued by Mr. E. H. Dallas, dis-

15) Locomotive Engineers' Journal, Sept., 1922, page 658.

strict passenger agent of the railway company, on August 21, 1922, from headquarters at St. Louis, sheds further light on the desert story. The letter to ticket agents read in part:

"In view of the newspaper report circulated regarding suffering of passengers, at points on the desert, where trains were stalled, wish to say, while this is considered 'good newspaper copy', in the main such conditions originated in the fertile minds of space writers for the daily press. The four thousand inhabitants of Needles, Cal., apparently enjoy the climate. Admittedly it is hot in the summer months, but not sufficient to cause anything more than temporary inconvenience and that only to persons unaccustomed to hot weather.

"The Santa Fe is particularly fortunate in having the Fred Harvey System of hotels and dining rooms along its line. *The El Garces at Needles being in position to serve any number of meals.*

"As evidence of Santa Fe service rendered to its patrons on delayed trains, wish to say, when service was resumed, our representatives interviewed all passengers routed via Grand Canyon and none of them desired to abandon their trip to the Canyon, no matter what the delay might be in reaching their destination.

"All trains are now moving on regular schedules and I shall appreciate your giving these facts as much publicity as possible.

"Yours truly,

"E. H. DALLAS,

"District Passenger Agent."

So great was the resentment of the passengers against the malicious lies of the newspapers that a committee of those who were on the Santa Fe train No. 7 which was held at Gallup, New Mexico, from August 15 to August 17, wrote to the Locomotive Engineers' Union to the following effect:

"The passengers wish to thank the railroad boys at Gallup for the good work they did. When the train arrived at Gallup, meals were not allowed to persons riding on special fare tickets or on passes. Many of these people were short of funds. Some of them were completely 'broke' for ready money and only one half of their journey was completed for most of them.

"Many women with children were in need of clean laundry. No one knew how many days of delay were ahead of them.

"The railroad men working into Gallup out of Albuquerque and those stationed at Gallup, took it upon themselves to find out such conditions and they offered their services in relieving conditions, many of which otherwise would have been quite distressing.

"These railroad men raised money amongst themselves to feed the people who were short of funds and they then staked each of the needy for two extra meals after the passengers left Gallup. They helped 28 passengers in this way on the one train.

"The boys then canvassed the train for laundry, had it taken care of and delivered back to the owners in three hours time, the laundrymen making an extra effort to get everything clean and dry in the shortest possible time.

"For these extraordinary services and kindnesses the passengers on number 7, wish to make known their appreciation of the courtesies extended to them in Albuquerque and Gallup, and especially to the members of the 'Big Four Brotherhoods'."¹⁶

This is the violence and cruel inhumanity of the workers against which over five thousand United States marshals, scores of injunctions, hundreds of soldiers, thousands of newspapers and magazines and the entire military, judiciary and financial power of the employing class and their strikebreaking government were pitted.

16) Locomotive Engineers' Journal, October 1922, page 732.

But the desert seems to be a very fertile place for the newspaper lies to vegetate in luxuriantly.

"In a recent issue, Senator Arthur Capper's *Topeka (Kansas) Capital*, published what was said to be a photo of Mrs. Melissa Wooden, aged 94 years old, seated in an invalid chair. It carried the heading, 'Marooned in Desert Rail Tie Up.' Senator Capper declared that the aged woman was suffering from hardship caused by an 'unauthorized strike by the Big Four Brotherhood members.'

"Doubtless readers of Senator Capper's paper were taken in by this hoax, since that is what it was, as the following statement by A. A. Graham, a well known lawyer of Topeka fully affirms:

"I remember this picture with the distinctness of a family portrait. It is that of Julia Ward Howe, deceased, author of "The Battle Hymn of the Republic", that went the rounds of the press ten or a dozen years ago, having been snapped while she was being wheeled by a Japanese servant through a park in Boston.'

"Readers of Senator Capper's paper probably in future will not be taken in by fakes that are put across for propaganda purposes."¹⁷⁾

Conclusion

Addressing the Audit Bureau of Circulation in Chicago on October 20, 1922, Attorney General Daugherty said:

"No man in public life who is possessed of vision and realizes his responsibility to Government, would favor regulation of the public press by law, but it is obvious that the power of the press must not be used to foster disrespect for our government and disobedience to its laws.

"Whenever a newspaper ridicules a law, plays up a policy of contempt for law and its enforcement and

17) "Labor", September 16, 1922.

its news and editorial columns fosters law breaking, that newspaper is doing more to destroy American institutions than a Federal Judge can do to maintain them.

"I believe the great metropolitan journals, powerful magazines, and press associations owe a duty to Government no wit less than the humblest immigrant admitted to our shores.

"Mockery of our laws and our courts, the desecration of the sentiments of our people must stop, and no agency is better equipped to stop it than the press."¹⁸⁾

Daugherty went on to advocate the establishment of a weekly or daily official journal containing all government declarations and pronouncements in order to help the press and the people be loyal.

The above declaration is a challenge and a warning to the Labor press of the country and a declaration of appreciation to the employing class newspapers. The newspaper is a most powerful weapon in the hands of the capitalists against the workers. There are in the United States 2,382 dailies and 13,660 weeklies. The vast majority of these are owned and controlled by and run in the interests of the employing class. These newspapers suppress the truth and persistently spread half-truths and no-truths. The press is an integral part of the State machinery employed by the capitalist class for oppressing the workers. The press has rendered inestimable service to the employing class in the recent struggles of the workers against starvation wages and degrading conditions of employment. There are millions of workers subject to the misinformation, editorial and open advertising campaigns of the capitalists. The workers must take concrete steps to improve and strengthen their press.

18) New York Times, October 21, 1922.

CHAPTER XII.

AMERICAN DEMOCRACY— A CAPITALIST DICTATORSHIP.

“Many of our people are convinced that the Constitution was intended to aid the rich and powerful; that it affords unwarranted immunities to the railroads and is an instrument of oppression to the poor. . . .

“We are convinced that if it could be submitted to a vote a large number of our citizens would vote in favor of abolishing the Constitution entirely.”—From the Report of the Special Committee of the American Bar Association, Federal Judge Martin J. Wade, of Iowa, Chairman.

The Capitalist State.

IN every country where the means of production and exchange are owned by the capitalists, the employers of labor have in their hands an immensely organized power of oppression. This is the *State*. In America, where capitalism is highly developed and the capitalists are safely entrenched, the employers of labor are in control of a very powerful State having a gigantic governmental apparatus of many ramifications. This State is the unified and centralized power of the whole employing—ruling—class. Thru their State the capitalists are able to enforce the law and order of profits—maintain the present system of the exploitation of the workers.

The employers' State, the capitalist State, whether it be democratic or monarchical in form, is an intricate machine of oppression. It grips every walk of life. No worker can avoid

its heavy hand. The National, State and Municipal Legislatures, the Executive Departments, the courts, the army, the navy, police, spies and detective bureaus, private gunmen and scab-herding agencies, the Employers' ex-soldier organizations, the Ku Klux Klan, the Chambers of Commerce, the numerous Manufacturers' Associations, the press, the church, the schools, the theatres, and the dominant political parties, serve as extra-legal tentacles of the State stretching out in all directions.

In the United States.

American capitalism is maintained by what is perhaps, to-day, the most gigantic organ of oppression. Vigor and dash mark its brutality which is painfully prompt and sure in overcoming the enemy of the capitalist class—the working class. The long and severe prison sentences handed out to the leaders of the workers, “government by injunction,” military crushing of strikes, disfranchisement of workers on account of color or birth-place, the removal or assassination of governmental officials even suspected of being sympathetic to the workingmen, tarring and feathering, kidnapping and lynching, raids and deportation, poisonous propaganda and fraudulent learning, a hireling church, the killing and wounding of hundreds of thousands in war, ruthless exploitation, and denial of the rights of assembly, speech, and press to the workers—these make up the bountiful crop of “the greatest democracy in the world.” Our “democracy” crushes the workers with an incomparable readiness and fervor. In theory, the United States Government is a model of the “pure and abstract” capitalist democracy preserved at the cost of the lives of ten million workingmen. In practice, the United States Government is the model servant of the employing class.

Our exploiters and oppressors have raised a halo about the American Government. Thru their ownership of the press,

schools, churches and countless other organs of information and misinformation, they can strongly influence the minds of the workers. The average American honestly believes all the fantastic stories about the great kindness and holy glory of our "democracy." He is ready to die for it. The workingman's ideology is largely a product of his employer's skilful propaganda.

The reactionary trade union bureaucrats and their sycophantic allies, the reform-socialists, have rendered admirable service to the capitalists by strengthening the faith of the workers in the whole governmental machinery of the employers' State.

Some History.

An analysis of the plan and structure of the American Government conclusively reveals the fact that our much-vaunted Constitution is an excellent plan of crushing the working masses and baffling their will. Historians like Beard, Smith, Bryce, Fiske, McMaster and Woodrow Wilson offer abundant evidence to show that the American Constitution and the Government founded upon it were deliberately designed to eliminate, as far as possible, the direct influence of the broad masses on legislation and public policy.

At first the American Revolution was merely an organized armed protest against what seemed to our forefathers to be an arbitrary and unwarrantable taxing power exercised by the British ruling class. As the struggle developed, the war took on a much broader and more popular basis. For a time the poorer classes were a powerful factor in the political life of the country. But with the return of peace, the propertied classes steadily regained prestige. A strong wave of reaction then set in. It was under such conditions that the American Constitution was adopted and the present American Government organized.

Our Holy Constitution.

To the average American workingman, the Constitution is the very incarnation, the very embodiment of democracy. In fact, the Constitution is only an attempt to apply the precepts of the 18th century philosophy—the aims and ideals of the capitalists rapidly coming into the position of a ruling class. Adam Smith, the economic and political lodestar of the rising capitalist class has tersely formulated the essence of this philosophy as applied to Government. He said:

“Civil Government, so far as it is instituted for the security of property, is in reality instituted for the defense of the rich against the poor, or those who have some property against those who have none at all.”

This was the guiding principle of our “Fathers” who framed the Constitution. The Constitutional Convention set up as its goal the organization of a government that would as much as possible keep out the broad masses and not be directly responsible to them. According to Professor J. Allen Smith, they sought to devise a government “which was just popular enough not to excite general opposition and which at the same time gave to the people as little as possible of the substance of political power.”

Bribery and a strong appeal to the fear of European aggression helped to secure the adoption of the Constitution by the States. Bryce maintains that if the Constitution had been put to a popular vote instead of to the States, it would have been rejected. At the time of its adoption, the American working masses did not look upon the much-venerated Constitution of today as a democratic document.

An Underground Convention.

Today the American Government drives the most advanced spokesmen of the working class, the Communists, underground. Then it persecutes and hounds these very workingmen for being underground. Yet, the Federal Convention at which the American Government was founded was a completely underground convention—hidden from the masses. Utmost secrecy characterized the sessions which were held behind closed doors. The delegates were not allowed to communicate with anyone outside. No one could make any copy from the record without special permission from the body. These steps were taken in order to facilitate realization of the aims of the Convention—a strongly centralized government possessing great immunity from change.

A reading of the proceedings, which were not made public until fifty years after the Convention, will disillusion anyone as to the faith that body had in the masses. Such honest spokesmen for popular rule as Paine and Jefferson were not to be found in that gathering. Delegate Elbridge Gerry, later Vice-President, saw in democracy the worst of all political evils. He realized, however, that it was unwise to make public such sentiments. This "Father" of our country believed "that the people should at least appoint one branch of the government in order to inspire them with the necessary confidence."

The Venerable "Fathers."

Our schools deify the "Fathers" of the American Government. They set them up as idols to be worshipped. But the noted historian McMaster fearlessly characterizes these "Fathers" in the following:

"A very little study of long-forgotten politics will suffice to show that the filibustering and gerrymandering, in stealing Governorships and Legislatures, in us-

ing force at the polls, in colonizing and distributing patronage to whom patronage is due, in all the frauds and tricks that go to make up the worst form of practical politics, the men who founded our State and National governments were always our equals, and often our masters."

Hamilton wanted to give the rich and well-born "a distinct, permanent share in the government." He had a prophetic vision of the class struggle that was to develop in the United States. To Hamilton it was plain that

"all communities divide themselves into the few and the many. The first are the rich and well-born; the other, the mass of the people, are turbulent and changing. They seldom judge or determine right."

Gouverneur Morris went as far as even to propose the appointment of men of aristocratic blood for life to the upper House, the Senate, in order to check the lower House. And Madison, often called the Father of the Constitution, believed that the Government ought "*to protect the minority of the opulent against the majority.*" This is the essence of American "democracy" today, a rule of the employing class, by the employing class, and for the employing class—a capitalist dictatorship over the working class.

Against the Masses.

A. A RIGID CONSTITUTION.

The American Constitution is replete with the most cleverly devised and deadly effective means of baffling the will of the masses and making it almost impossible for them to alter the form of the government. The Constitution makes it impossible for the working masses directly to propose or even ratify changes in the fundamental law.

An extraordinary majority is required even to amend the Constitution. A two-thirds majority of both Houses on application from the Legislatures in two-thirds of the States is required merely to set in motion the machinery for Constitutional amendment. Then, the ratification of the proposed amendment can come only after it has been assented to by conventions or the legislatures in three-fourths of the States, as Congress may decide. On this basis, approximately one-fifteenth of the population, so distributed as to constitute a majority in the thirteen smallest states, can defeat any amendment proposed. With the control of the Government and the press resting securely in the hands of their employers, it is practically impossible for the workers to utilize the Constitution as a means of effective fundamental change. Because of countless obstacles, the workers have been unable to win a bare majority for a mere reform. It follows then that the belief that the workers, under even more aggravated circumstances, are likely to win a two-thirds majority for a fundamental change, is utterly untenable. Likewise the belief of the reform-Socialists that the American Constitution makes it possible for the working class to make a revolution in the formally legal way is farther from the truth by a greater distance than that thru which Lucifer fell.

Apropos of this feature of our Constitution, Woodrow Wilson said:

“None of the written constitutions of Europe are so difficult for alteration as our own.”¹⁾

Of over two thousand proposed amendments only nineteen have been adopted so far. The first twelve were inconsequential. The next three were adopted thru the force of arms—that is, while the Northern Army of Occupation still held the con-

1) Woodrow Wilson, “The State,” page 524.

quered Southern States or as a price for readmission to Congress. In fact, not a single one of the Constitutional amendments adopted since then is of a fundamental, social nature. In no other country in the world has the employing class such an effective barrier against possible encroachments by the workers. This distinction between legislative and constitutional amendment does not exist in any other country in the world.

B. THE ARISTOCRACY OF THE ROBE.

Another feature of American "democracy" is the court system. The judicial system is an insurmountable wall which the American workers hit up against in every strike, in every industrial dispute, in every move they may make for the improvement of their conditions. *The whole plan of American government hinges on the unlimited authority of the courts.* This device is the most important Constitutional check on the working masses. More than that. It serves as a deadly effective means of preserving and enforcing all the other checks.

The Constitution provides for life tenure of the Supreme Court judges. These judges are not elected by the people, but appointed by the President. The Supreme Court, a small, irremovable oligarchy of nine Judges has absolute veto power and exclusive right of interpreting all law. No other Government, not even the old Hohenzollern Monarchy, had such an effective Constitutional means of preserving and perpetuating the capitalist system. This *sanctum sanctorum* of the "democracy" of the American employing class may not only legislate without the consent of the regularly constituted legislative bodies but even against them. This Holy Synod of Nine Capitalist Bishops is an independent legislative and judiciary body combined. The Supreme Court is the part of the Government furthest removed from the mass of working people. It prevents even the slightest

legal changes and only barely avoids an aristocratic appearance for the American Government. In reality, however, the Supreme Court is based on the doctrine of divine rights. In the days of feudalism the King could do no wrong. Today, in the days of capitalism, nine little kings in the United States (often it is only five), the Supreme Court Judges, can do no wrong—to the capitalist class.

Anent the role played by the Supreme Court in the class war, Professor J. Allen Smith says:

“These decisions have been almost uniformly advantageous to the capital-owning class in preserving property rights and corporate privileges. It is not, however, in the laws which have been annulled or modified by interpretation that we find the chief protection afforded to capital, but rather in the laws which have not been enacted. The mere existence of this power and the certainty that it would be used in defense of the existing social order has well-nigh prevented all attacks on vested rights by making their failure a foregone conclusion.”

The Legal Tender Decision, The Income Tax Decision of 1905, the Danbury Hatters', the Child Labor Law Decisions, and the Coronado Decision are only a few examples of service rendered to the employing class and of injury inflicted upon the working class by the Supreme Court.

Besides, thru “Government by injunction,” our courts enact special, criminal, emergency legislation against the workers. The injunction granted by Judge Wilkerson in the 1922 railway strike is typical of the justice suffered by the workers at the hands of their employers' Government. Suddenness is one of the prime requisites for making a strike successful. Thru the issuance of injunctions the courts rob the workers of this most potent factor of their power to strike.

And, when the Supreme Court annuls a law, the decision takes effect not from the time the judgment is rendered, but from the time the Act in question was originally passed. This retroactive character, known in law as *ex post facto* legislation, is supposed to be against the Constitution. But for the workers this power of the Supreme Court is a grim reality. The Constitution does not matter a straw when there is a conflict between capitalist profits and the rights of the exploited workers.

The "Fathers" consciously and deliberately put this powerful weapon in the hands of the ruling, propertied class in order to stifle the working masses.

We have emphasized the Supreme Court, not because its Judges are the only ones the President appoints or because it is the only court that oppresses the workingmen. The President appoints many other robed tyrants, such as District and Circuit Judges. Only recently Congress passed what has been called the "Midnight Judges' Bill" empowering the President to create twenty-four new Federal judgeships and fill their vacancies forthwith. The whole American judiciary system, the State Courts and the sundry Federal Courts running parallel with them, is used by the employing class to oppress the workers.

C. CHECKS AND BALANCES.

The system of checks and balances further buttresses the capitalist barriers against any change of the Government by the working class in the interests of the workers. Originally, this system was fostered by the capitalists in England when they were struggling for power with the feudal, aristocratic class. Then the capitalists saw in it a means of limiting the powers of the feudal rulers. Today as in the past, the existence of the checks and balances system is an open recognition of a class conflict.

In the United States, there being no landed aristocracy, the capitalists have adopted this system for use against the workers.

Our House of Representatives has less power than the Senate or President. The latter have the power of appointment and treaty making. They may cede or annex territory in total disregard of the House. Our "Fathers" figured that the President and Senate, being in the main drawn from the same reactionary type, would thus serve as a double check on the lower body in which there is a greater danger from working class representatives. Today the House is more a shadow than a substance of representation. Its much-vaunted control of the purse is crippled, for once an appropriation is enacted it cannot be repealed or even modified without the consent of the President and Senate. The army and navy appropriations are excepted from this rule.

This system of checks and balances also enables a group or party defeated in an election to gobble up hundreds of millions of dollars before the newly elected legislators take their seats. This arrangement aims at stifling protest. It aims at securing a "cooling-off" of the sentiment of discontent which may sweep out a controlling Party or group. A repudiated Congress is therefore in a position to continue legislating, for the new Congress regularly does not go into session until thirteen months after its election. The 1922 elections afford an excellent example of such a condition. Scores of Congressmen and Senators had been turned out of office. Yet, they were continuing to enact legislation involving the health and safety of millions of people and the expenditure of billions of dollars.

Furthermore, this system of checks and balances makes it very difficult to fix responsibility. In this way it is of inestimable aid to the employers in hiding the capitalist class character of the Government. The division of authority between the two legislative houses makes it possible for either one to pretend to

favor the demands of the workingmen and yet to sabotage them. An incident in the recent railroad strike brings this home with painful clarity. Compelled by the hopeless inadequacy of the force of inspectors and by the persistent, unpunished violations of the safety laws by the railroads, the Senate, at the recommendation of the Interstate Commerce Commission, unanimously adopted an appropriation of \$175,000, providing for 35 additional inspectors. But a conference committee of the House of Representatives, saw fit to kill it by threatening to postpone indefinitely the adjournment of Congress if the bill would come up. The Senate conferees then accepted the dictation. The bill died.

D. THE COMMITTEE SYSTEM.

The very system of procedure in the House of Representatives is calculated to banish every possibility of its assuming power as a body. At the opening of the new congress, the Senate and House divide themselves into many standing committees. No Congressman is permitted to propose a bill unless it is first favorably passed upon by the "proper" committee. Here the bills of a minority party quickly find their way to oblivion, for the majority party controls the committees. Minority parties are placed on committees in order to blur the responsibility of the ruling party in the eyes of the masses. Working class representatives can thus be completely deprived of their "inalienable" right to introduce bills and voice the interests of labor. The record of the last few Congresses, even omitting the fact that the President is steadily assuming powers vested in the House, shows that this committee system works with an ever-increasing effectiveness in deadening the influence of our lower legislative body.

The Esch-Cummins Law involving the wages and working conditions of hundreds of thousands of railroad workers and the

entire railway system of the country, consumed ten months in being drafted in the committee. It was rushed thru the House in seventy-two hours after introduction and was finally passed within only four days after its introduction. The reason for the extraordinarily one-sided difference in time consumed by the committee and the House on this bill is accounted for by Congressman Huddleston, who, discussing this act, said: "So far as I know, it is not claimed by any one that the Transportation Act originated in Congress. . . . Its real origin was in banks, railroad lawyers, and other lobbyists. . . ."

Thru this committee system, control of legislation by the employing class is greatly facilitated.

In the case of the Fordney-McCumber Tariff Bill, the big capitalists had it sent to a hand-picked conference committee, to make absolutely secure their interests. Outwardly, this committee consisted of five from each House of which there were three Republicans and two Democrats. Actually, the Republicans closed the doors on the Democratic Committee members. The procedure was even worse. Senator La Follette, the third ranking member of the Senate Committee on Finance, who, by all precedent and custom should have been on this committee, was deliberately ignored by Vice-President Coolidge, who chose the committee and Senator McLean of Connecticut, pet friend of the head of the silk trust, was selected instead. The Tariff Bill was framed in the secret sessions of a handful of picked reactionary Senators. It was then jammed thru. Congress was denied even an adequate opportunity to debate or consider it. The bill as enacted, put into the hands of the President the control of the raising and the lowering of the tariff rates in violation of Article I, Section 7 of the Constitution and saddled on the working masses of America, a tribute ranging up to \$6,000,000,000.

Apparently the difficulty even to amend formally or question the Constitution is a difficulty only for the workers. To the capitalists, the Constitution is no barrier when their interests—their profits—demand it. But when the workers manifest the slightest indications of challenging their authority, the Constitution with all its bloated sacredness and rigorous holiness, is called to their rescue.

Another example of the ease with which the committee system enables the capitalists to run the Government in a fashion solely conducive to their own ends is presented in the case of Senator William E. Borah's membership on the Labor and Education Committee. Because of his rank and strategic position as a dissenter, Borah was given the chairmanship of this Committee. But the Committee was then packed with such reactionaries as Senator Warren of Wyoming, the wool king and often called "the greatest shepherd since Abraham"; the millionaire munition maker Senator Du Pont of Delaware; Senator Phipps, of Colorado, the sycophantic lackey of the United States Steel Trust and Senator Shortridge of California, a highly skilled corporation lawyer. Borah had been having a very difficult time of it in this company. The matter came to a crisis during the strike of the miners on account of the organization of a fact-finding commission for the coal industry. Senator Borah became disgusted with the delaying tactics of President Harding and his friends on the Committee. He insisted on the reorganization of the Committee or the choice of a new chairman.

Because of the defeat of Senator McCumber of North Dakota, Senator Smoot, of Utah, in accordance with the Seniority rule, became Chairman of the Committee of Finance. But in accordance with the same rule Senator La Follette, the progressive, is next in line of succession. McCumber's defeat also leaves Senator Borah, another progressive, next to the top in the For-

ign Relations Committee of which the reactionary Lodge is Chairman. Therefore, Senator Medill McCormick, of Illinois, Chairman of the Republican Senatorial Campaign Committee, has come forward with a plan to end the practice of choosing chairmen of Senate Committees by the rule of seniority and to reorganize the Republican "steering committee" so as to determine legislative programs between the steering committees of the Senate and the House.

The inestimable service rendered by the Committee System was brought into bold relief in the impeachment proceedings against Daugherty. Congressman Keller of Minnesota brought fourteen grave charges against Daugherty. But the biggest industrial and financial interests of the country were involved in the exposure and punishment. The matter was referred to a special committee which handled matters in excellent style for the millionaire plunderers and powerful employers. The following indictment of the proceedings made by Representative Keller who was forced to quit in the midst of his case by the high-handed methods of this whitewashing committee is a stinging indictment of the whole committee system of Government, and exposes its efficacy as an instrument for baffling the will of the workers and safeguarding the interests of the employers.

"1. Practically every important decision of the Committee with reference to procedure has been made in secret, with no notice to me or my attorneys to be heard in advance of the making of such decisions. On several occasions it has been announced that these decisions were by unanimous vote of the committee and several members of the committee, including those on the majority side, have openly announced that they knew nothing whatever of such decisions having been made; that they were not informed that the Committee was to meet to make such decisions and that such alleged unanimous action was without their consent.

"These decisions of the committee were in some instances, never communicated to me or my attorney at all, but I got my only information about them thru the public press and my written protest to the committees against such action has been ignored.

"2. *The secret decisions have operated to restrict me in presenting my evidence in the order in which it could be most expeditiously and effectively presented and have taken away from me and from my counsel the right to determine the order of presentation of our case and the calling of our witnesses.* These decisions have also taken from me the right to call on any witness until I first notify the committee as to what that witness will testify. At the same time the record discloses that upon motion of one of your members, the committee decided to permit Harry M. Daugherty to present his defense 'in any manner that to him seems fit'. . .

"5. *The Committee has arrogated to itself the right to determine what documents shall or shall not be introduced in evidence by a secret examination of these documents and has refused to permit me or my counsel to describe these documents or to offer any arguments whatever as to their admissibility.*

"6. The Committee has announced that it will be in secret and without opportunity for hearing or argument to 'correct' the official record of these proceedings by striking out such testimony as the committee deems irrelevant. Thus the public record will disclose, not the actual proceedings had here, but only such parts of these proceedings as the Committee will permit to be of record.

"7. The Committee has already distorted and published records of these hearings by omitting and refusing to permit my letter of December 1, transmitting my bill of specifications, altho the Chairman specially stated that this letter would be made a part of the record and although Harry M. Daugherty's letter of transmittal of his answer was so published.

"8. *The Committee has one rule of procedure for the defense and another rule for the prosecution.* In addition to the unfair secret decisions already referred to, the committee has at times permitted the widest latitude to the introduction of alleged evidence in defense of Harry M. Daugherty on the grounds that this was a legislative hearing, and not a court procedure; while frequently limiting my own presentation of facts.

"The evident purpose of this is to keep from the record material evidence against the Attorney General, and to put into the record the most veritable kind of hearsay in defense of the Attorney General and against the characters and reputation of those who oppose him, and no opportunity has been granted the persons thus traduced to defend themselves.

"10. . . . I cannot permit myself to be put in the position of assisting in any way in his whitewash performance and remain true to my oath as a member of the House of Representatives.

"I reiterate that I am now in possession of evidence ample to prove Harry M. Daugherty guilty of the high crimes and misdemeanors with which I have charged him. I am ready and anxious to present this evidence in a proper way before an unbiased committee, but I emphatically refuse to permit it to be used as whitewashing material." (Our Italics).

Our Cabinet System.

The President appoints the members of his Cabinet. These Cabinet members are heads of various divisions of the Executive Department of the Government. In the President's Cabinet lies the heart of the American Government and the Cabinet officers are the arteries of the whole Governmental system. The Departmental heads of the Cabinet serve as the connecting links between the powerful centers of industry and finance and the innermost conclaves of the Government itself. They carry the blood of the mass of workers into the huge banking and industrial estab-

lishments of the employers. They are the veritable executive committee of the employing class of America. The activities of the leading members of our Cabinet bear this out with a vengeance.

Our Secretary of Agriculture Wallace supervises the protection of the interests of those capitalists whose profits depend on the exploitation of the farming masses. The Secretary of the Treasury Mellon, himself one of the biggest trust magnates in the world, and having a direct financial interest in his official acts, is the guardian angel of the millionaire tax-dodgers and giant trusts. Our ex-Secretary of Interior, Fall, has shown by his handing over the rich Teapot Oil Dome region of Wyoming to the Standard Oil Company how loyal he is to the employing class. Our Secretary of War Weeks, and Secretary of the Navy Denby, have appeared in their true colors when they ordered marines to Wyoming to transfer oil lands to the Rockefeller interests, and when battleships were despatched with the utmost speed to foreign waters to protect the interests of the employing class abroad. Our Secretary of State Hughes, formerly paid by the Standard Oil for defending its interests, is now receiving a salary from the Government for continuing to do the same, as seen in the declared oil policy of America at the Lausanne Conference. The Secretary of Commerce Hoover is now receiving a Government bonus for acting in the capacity of official adviser to the employing class. Our Attorney General Daugherty, once in the pay of millionaire swindlers and thieves, is now drawing pay from the Government for continuing to shelter wealthy criminals from jails and for persecuting workers. And last, but not least, is our President who has been exposed in his true role as suppliant servant and general representative of the big capitalists by his strikebreaking activities in the railway and mine conflicts.

In European Governments, the Cabinet as a whole, and every Cabinet member singly, is responsible to the will of the legisla-

tive house directly and the voters indirectly. In America, the situation is entirely different. Our Cabinet is not responsible—directly or indirectly—to the masses. In so far as the workers are concerned the Cabinet is a Governmental body owing loyalty and responsibility only to the lords of Wall Street. This situation has been thus portrayed by Congressman Huddleston, of Alabama:

“The President is not merely surrounded by captains of industry and finance in his environment and social life, but the same atmosphere pervades his Cabinet. Remember, Mellon, who represents big business and big finance at its best and at its worst. And do not forget Hoover, Weeks, and Fall, all men of the same stripe in their attitude towards labor. Then there is Daugherty, the practical politician and middle man between the Administration and the sources of political power and political finances. . . .”²⁾

Our Party System.

Besides the organic barriers of the American Government to a working class expression of will thru its parliamentary structure, there are other thwarting bodies that have become part and parcel of the Governmental machinery. One of these is the institution of the American political party. The American political party system serves as an additional effective check on the masses.

In England, unlike in the United States, the Party has the right not only to elect but also to remove its representatives. In America, the only control the masses have over a candidate is a blind faith in dishonest election promises. The American political Parties have no responsibility for the Government. The American political Party serves as an especially perfected means

2) Locomotive Engineers' Journal, September 1922, page 656.

for advancing the interests of the employing class. The machines of our dominant Parties are subsidized by and are the property of the manufacturers and bankers. That "the donkey and elephant feed from the same crib" is a well established fact. An examination of the report of the three Republican National Committees, the National, Senatorial, and Congressional, on the expenditures and receipts of the 1922 campaign funds shows who controls its purse strings and creates its policies. Among the largest contributions to the various Committees were:

R. B. Mellon, Pittsburgh.....	\$26,000
John D. Rockefeller	15,750
George Eastman, Rochester	10,912
J. A. Patten, Chicago.....	10,000
John D. Rockefeller, Jr.....	10,750
Dr. S. G. Kennedy, Tulsa, Okla.....	10,000
William Wrigley, Jr.	10,000
Frederick W. Allen, New York.....	10,000
Fred Upham, Chairman Republican Nat. Com.	10,000
D. A. Reed, Pittsburgh	10,000
Henry F. Lippit, Providence, R. I.....	10,000
Mr. and Mrs. Carnell, Dayton.....	9,000
Henry L. Doherty, New York	7,500
F. B. Patterson, Dayton, Ohio.....	6,875
Mrs. Dorothy P. Judah, Dayton.....	6,875
Julius Fleischman, New York.....	6,000
Herbert Hoover	5,000
S. R. Guggenheim, New York.....	5,000
Otto Kahn, New York.....	5,000
Payne Whitney, New York.....	5,000
Samuel Insull, Chicago.....	5,000
W. W. Wrigley, Chicago.....	5,000
E. P. Swensen, New York.....	4,500
Eugene Meyer	3,750
Arthur C. James, New York.....	3,500

Walter Douglas, New York	\$3,500
Paul M. Warburg, New York.....	2,500
Mrs. Henry R. Rea, Pittsburgh.....	2,500
Harry Blakmer, Denver	2,300
E. S. Harkness, New York.....	2,000
R. P. Lamont, Chicago.....	1,500

Among the other large contributors were Vincent Astor John H. Hammond of the Coal Fact Finding Commission, Colonel R. H. I. Goddard, the textile baron of Rhode Island, Paul D. Cravath, B. D. Coleman, J. Rosenwald, Will Hays, and William J. Burns.³⁾

In this list we have bankers, coal magnates, railway kings, oil barons, textile manufacturers, steel and aluminum monopolists, realty sharks, clothing manufacturers, merchants, and dividend mongers and coupon clippers of every description. These are the men who own and control the Republican Party. Substitute Barney Baruch for Paul Warburg and J. P. Morgan for John D. Rockefeller and you have the picture of the Democratic Party likewise owned in fee simple.

And these are only part of the funds announced publicly. The hundreds of thousands of dollars that may have been spent secretly for vote purchasing and ward-heeler activities are not accounted for here. Yet, by October 27th, 1922, the accounted campaign funds of the Republican Party totalled \$720,737. Our dominant political parties are thus kept out of the reach of the large bulk of constituent members as well as the mass of voters.

To make matters worse, there are many States that have election and primary laws that serve as almost inseparable obstacles in the way of the development of third parties.

It is the task of the dominant political parties in the United States to perpetuate the rule of the employing class. Every one of these parties is afflicted with secret methods and cunning ar-

3) New York Times, October 28, 1922.

rangements for corporation rule. This is shown in the forces behind the scene that run the party conventions, determine the party platforms, and pick the candidates. Nor does a popular majority of a Party indicate such a popular approval of its platform. The American Parties always have a multitude of issues in order to attract all sorts of voters. In the United States, more than in any other country, do the Parties tend to state their issues unclearly and inject personal elements into the election campaigns.

Conclusion.

We have seen that the Government is playing an ever-increasing role in the lives of the workers; particularly in their struggles against their employers. We have seen that the American Government was deliberately planned and carefully built to baffle the will of the masses and to perpetuate the rule of the propertied class—the employing class, the capitalists.

Organically, the American Government, as organized today, is best fitted to serve as an organ of the exploiting class for oppressing the workers.

Structurally, the American Government, as organized today, is unfitted to serve as an organ for the achievement of working class liberation. The very structure of the present Government puts almost insurpassable obstacles in the path of the development of a powerful working class movement.

It is for this reason that the American employing class has been able to use the Government as a strikebreaking agency with such facility.

In the light of our analysis of the very constitution of the Government and in the light of its continuous strikebreaking activities, what is the meaning, to the workers, of the giant strikes of 1922? How have the workers reacted to this condition? What is the outlook of our working class for the new bitter struggles ahead?

CHAPTER XIII.

THE MEANING OF THE STRUGGLES AND THE OUTLOOK

THE three great strikes of 1922—the textile, the miners', and the railway workers'—proved a steel rod in the American labor movement. They showed the employers and their Government the real mettle of the workers—a tenacity, a heroism, a solidarity inconceivable to the capitalists in the dark days of working class retreat and rout. But of even far greater importance to the American labor movement than this renewal of fighting spirit and resistance is the effect that these battles have had on the workers. The outstanding gain made by the workers is the tremendous impetus that these struggles have given to the development of a realistic, practical, militant, political and industrial movement amongst them. The left wing movement was greatly strengthened not only in the unions on strike, but also in the other organizations. Dualism, secessionism, craft unionism, labor treason, a strikebreaking Government were amongst the heavy sufferers in these battles. Amalgamation of craft unions into industrial unions, the trend toward a labor party, and class-consciousness were the heaviest gainers in these struggles.

Indicative of the growing class-consciousness of the workers is the following from an editorial in the *Railway Clerk*:

"The Daughertys and Palmers are simply the creatures of class Government. There must be a new deal all around if the workers expect to have their interests looked after. They must elect representatives

of their own class—Congressmen, Senators and the President—so that when Attorney Generals, Federal Judges and Supreme Court Justices are appointed, friends, not enemies of the working class will sit in these high places.

“It is the capitalist class that we must impeach. And the place to do that is at the polls.”¹⁾

This statement of the problem confronting the workers is fundamentally vague as to method, but it breeds a spirit of action, of solidarity, of rising class-consciousness. It indicates a positive and important step in advance—a step towards militant working class political action.

Political Radicalization

As a result of the severe industrial crisis there came an intensive and extensive movement of political radicalization. The brutality of the employing class dictatorship was unmasked by a series of outrages perpetrated upon the workers by the courts and the various departments of the Government.

A. THE ELECTIONS OF NINETEEN TWENTY-TWO

The year 1922 saw a greater participation by the workers, as workers, in the political campaign. Though the workers did not have a national party, even the most backward of them, such as the officialdom of the American Federation of Labor, took broader and deeper cognizance of the election. The railroad unions, ordinarily above “partisanship” in politics, took a very active part in the elections in many districts.

This great awakening, vague and incomplete as it was, was a measure of the sharpening of class lines. And the spokesmen of the employing class recognized it as such. Addressing

1) The Railway Clerk, November 1922, page 514.

the American Bankers' Association Convention in New York City, Frank Munsey, noted reactionary newspaper owner and steel magnate, called for a fusion of the two employing class parties, the Democratic and the Republican, to meet the issues of the day and hold the lines against the sweeping tide of radicalism. He said:

"The salvation of our present situation would be a liberal-conservative party, numerically strong enough to hold the balance of power against the radical forces.

"A new issue (the labor problem) has developed that now divides all America into political camps as yet without political names. Some day, and not a very distant day at that, these two groups will evolve into organized political parties with names that signify what they stand for."

And addressing the Tenth Meeting of the Institute of Arts and Sciences of Columbia University, President Nicholas Murray Butler of the latter institution openly declared that:

"The overwhelming majority of Republicans and the overwhelming majority of Democrats, who are in substantial agreement on all fundamentals, should speedily find ways to take such steps as may be necessary to form a Democratic-Republican Party (to revive a name that was in use in this country a century ago), which would represent the predominant liberalism of our people. Over against such a progressive liberal party there would naturally be organized a distinctly radical party to which should go all those who now call themselves Democrats or Republicans, but who are in reality neither."

Attempting to capitalize this great wave of discontent and class-awakening of the workers, various liberals led by La Follette and Borah have also joined, not as definitely of course, in the talk of organizing a third party. In a speech delivered at

Spokane, Washington, on November 2, Senator Borah spoke to the following effect:

"A man is totally blind to political conditions in this country who does not understand that there is practically a political revolution on. The people are going to have relief, and if they cannot get it through the old parties they will get it thru a new party.

"The situation in this country at present is quite different from what it was in 1912. The movement at that time was largely a personal movement, led by a man of tremendous personality; but the movement now is a people's movement. It is a mass movement. It is not unakin to the ground swell which took place from 1852 to 1860...."

As a result of the Election of 1922 such reactionaries as New, Beveridge, McCumber, Kellogg, Poindexter, Mondell, Wadsworth, Volstead and Coleman du Pont were sent to the political scrap-heap. The army of "lame ducks" is now one long procession of repudiated Governors, defeated Senators, and rejected Congressmen. In the 1922 election practical, tangible issues were of greater importance than ever before. Personalities were given a seat farther backward.

B. THE TREND TOWARD A LABOR PARTY.

The brazenness characterizing the Government's strikebreaking activities has given tremendous impetus to the movement for an independent party of the workers. Many Central Labor Councils have gone on record for a Labor Party and the intensified activities for "non-partisan" participation on the part of Gompers and his *aides-de-camp* are in a large measure due to the desire on the part of the latter to stifle this movement.

The reactionary leadership of the unions fears a Labor Party. They see in it an entering wedge for the force that will solidify the ranks of the workers as a class and sweep them out

of power. They see in a Labor Party a positive step towards marshalling the forces of the workers for a decisive battle against the capitalists. It is this that the reactionary leaders fear and hate most.

Although the Conference for Progressive Political Action held in Cleveland on December 11 and 12, 1922, defeated the proposal for a Labor Party by a vote of 64-52 it is nevertheless a fact that the movement for an independent political party of the workers is today greater than ever before. The proponents of the Labor Party were defeated by the superior organization of their opponents—the advocates of the policy of “reward your friends and punish your enemies”—a policy that has been in vogue for years, a policy that has brought the American workers hundreds of injunctions and indictments. The conservative union leaders in charge of the organization of this Conference were better prepared. For instance, they deliberately removed the Conference to Cleveland from Chicago in order to avoid the pro-Labor Party and amalgamation atmosphere of the latter city. At the Conference proper the advocates of the Labor Party were not as well organized as the “non-partisan” agents.

It must also be noted that the delegates of the Socialist Party to this Conference did not work for a Labor Party. Running true to form, this Party, when confronted with a situation calling for action, shelved its supposed aims, turned its apparent immediate objectives into the realm of the vague, distant, “ultimate” goals—the safety valves so often employed by these “Socialist” leaders to misdirect the militant forces of the labor movement. In this way, the Socialist spokesmen succeeded in maintaining their positions of prestige and power in the innermost fold of conservative trade union bureaucracy. Had the Socialists lined up for a Labor Party and fought aggressively for it, the Labor Party proposal would have carried despite the fact that representatives of local unions and the delegates of

the Workers' Party were kept out. At the Cleveland Conference, this "Socialist" Party openly defended the trade union bureaucracy, and its leaders won for themselves the unenviable role of rendering lip service to the policy of *independent* working-class political action and rendering yeoman service to the policy of *dependent* workers' political action—dependent upon the Republican and Democratic Parties of the employing class.

But the movement for a Labor Party has only been tempered at most. The Conference has left the road open by granting autonomy on this question to State Conferences. Better organization on the part of the militant trade unionists alone will suffice to give life and power to this movement.

Industrial Radicalization.

A. THE GENERAL STRIKE RESOLUTION

In the midst of the great strikes there was initiated by the Omaha (Nebraska) Central Labor Union on July 21, 1922, a movement for a General Strike. The resolution adopted by this labor body read in part:

"Resolved that we, the Central Labor Union of Omaha, in regular session assembled this 21st day of July, 1922, call upon the Executive Council of the A. F. of L. to immediately set in motion the machinery which shall bring the full power of Labor to bear in one grand national protest against the slavery conditions that are being imposed upon us, and to call a national strike at the earliest possible date in order that this warfare upon American homes may cease."²⁾

This resolution was introduced by a member of the organization of militant trade unionists known as the Trade Union Educational League. By the time the Daugherty Injunction

2) The Labor Herald, October 1922, page 15.

was issued, Samuel Gompers was compelled publicly to admit that he had received over 200 demands for a general strike of all trades in all sections of the country. Of course Gompers stifled the movement for more effective resistance to the onslaughts of the employing class and its Government. But its effect could not be nullified. The widespread indorsement of this resolution was a monument to the increasing power of the left wing in the unions.

B. DEFENDING THE COMMUNIST WORKERS.

Equally significant is the enthusiastic, widespread help given by trade unions to the communist workers arrested at Bridgeman, Michigan. Typical of this response are the resolutions carried in support of the Labor Defense Council conducting the defense of these workers by the Chicago Federation of Labor and the Minneapolis Trades and Labor Assembly. The resolution of the latter body read in part:

“.....Be it resolved by the Minneapolis Trade and Labor Assembly, that we hereby avail ourselves of the empty right that we thought we reserved to ourselves in the Constitution ‘to petition the Government for redress of grievances,’ and hereby petition the President of the United States, and the Department of Justice to assign William J. Burns and his able coterie of thugs to the prosecution of the financial pirates and profiteers who during and since the war have so enriched themselves at the expense of the starving workers and farmers, and to relieve W. Z. Foster, W. F. Dunne and other representatives of the workers of the pleasure of their unscrupulous attentions.”

Such action is in striking contrast to the attitude maintained by organized labor to the “Red Raids” of 1920. Then, many organizations even joined Palmer’s thugs and gunmen in the

condemnation of the militant workers. The above conduct and resolutions are indicative of the growing class-consciousness of the workingmen.

C. THE PRINTERS' AND THE MAINTENANCE OF WAY
WORKERS' CONVENTIONS.

Another sign of the extensive spread of militant doctrines amongst the trade unions was manifested at the Convention of the International Typographical Union held at Atlantic City, September 11-15, 1922.

The sentiment for amalgamation was very strong amongst the delegates. Effective measures towards this end were taken by the Convention. The Union also rescinded its law calling for the expulsion of any member who had been convicted under the Espionage Act, passed a resolution demanding the release of all class war prisoners, and decided to participate in the Cleveland Conference for Progressive Political action.

And the action taken by the Convention of the United Brotherhood of Way Employees and Railway Shop Laborers held in Detroit, Michigan, in October 1922 was even more radical. Amalgamation swept the conference. The reactionaries who had betrayed the workers to the strikebreaking Railroad Labor Board for a two-cents an hour increase of wages were completely overwhelmed. Resolution Number 52 for Amalgamation read as follows:

"Resolved, that we favor the amalgamation of the sixteen standard railroad unions into one organization covering the entire railroad industry, and that we call upon our General Officers to take the necessary steps so that a joint convention of all these organizations (or as many as possible) can be assembled to put this amalgamation into effect."

This resolution was unanimously adopted. Describing the Convention, the well-known trade union magazine, the *Labor Herald*, said:

"All of this slick politics by the machine completely destroyed the confidence of the rank and file delegates. They demonstrated the repudiation of the reactionaries when the elections took place. Grable was defeated by an amalgamation advocate, F. J. Fljozdal, by a majority of 3,813 votes. When it was apparent that the machine was broken, its backers began to run for cover. A progressive candidate, Elmer E. Millegan, defeated the machine secretary by 54,000 votes. Salaries of officials were cut one-third, and the number of vice-presidents reduced from 14 to 5. Headquarters are to be moved from Detroit to St. Louis. Every action calculated to root out the machine for all time that the delegates could think of was adopted with enthusiasm. The rout was complete. Never before was such an overwhelming victory achieved for amalgamation, and for progress generally."³⁾

D. THE SWEEP OF AMALGAMATION.

Perhaps the most telling advance made by the left wing in the trade union movement is the sweep of amalgamation. The movement for the amalgamation of the impotent craft unions into powerful, fighting industrial organizations is today more intensively and extensively developed than ever before. The outstanding feature of this movement for industrial unionism is its practical, realistic expression. This radical movement of today is free from the suicidal tactics of secession, dualism, and organizational irresponsibility. As advocated by the Trade Union Educational League, amalgamation, the turning of the impotent craft unions into fighting industrial unions, is at once a theory and a practice—a theory based on the actual political, economic,

3) The Labor Herald, November 1922 page 10

and industrial conditions at hand and a practice taking into cognizance the specific conditions attendant to the application of the plan in each particular instance, in each particular industry. Amalgamation as propagated and worked for by the fighting trade unionists under the leadership of the Trade Union Educational League is a method of action and not a cut and dried formula; not a dogma stifling activity, but a plan of and an inspiration to intensified activity.

It is this practical, responsible, realistic character of the present amalgamation movement that makes its sweep all the more encouraging and inspiring significant to the development of working class power and freedom. Already the following State Federations of Labor have endorsed the amalgamation proposal of the Chicago Federation of Labor which was bitterly denounced by the rock-ribbed reactionary Gompers. These States are Indiana, Michigan, Minnesota, Montana, Nevada, Ohio, Oregon, South Dakota, Utah, Washington, and Wisconsin. Among the International Unions endorsing it are the International Association of Fire Fighters and the Maintenance of Way Men. Even amongst the independent unions this move for amalgamation has made great gains. In October 1922, there was held in Boston a convention of seven independent unions of shoe workers to organize the Amalgamated Shoe Workers.

It is, however, amongst the railway workers who hold the arteries of the industrial system in their grip that amalgamation has taken the most tangible form and made the greatest headway. Says Wm. Z. Foster, Secretary of the Trade Union Educational League and one of the ablest and leading advocates of amalgamation regarding the recent amalgamation conference of railway workers:

"This National Railroad Amalgamation Conference, so long looked forward to by militants in all in-

dustries, has come and gone. It was a tremendous success. On December 9-10, in Chicago, some 400 delegates, of all trades and callings, including smaller delegations from the Four Brotherhoods, from all over the United States and Canada, came together to consider the proposition of amalgamation. They indorsed it 100 per cent, declaring wholeheartedly for one union for the entire railroad industry. Then, organizing a committee of 100, members of which will be located in all the principal railroad centers, they prepared to launch a great campaign to bring the many organizations together. Local committees will be formed, great mass meetings held, the circulation of the *Amalgamation Advocate* built up, referendums on amalgamation initiated, special conventions held, and every other possible device used to wake up the rank and file and to actually fuse the many organizations together into one powerful body. It is safe to say that after this historic conference the realization of industrial unionism on the railroads, the dream of militants for a generation now looms as a prospect of the near future.⁴⁾

The conservative and reactionary trade union bureaucrats are fighting this move. Stone of the Engineers, Johnston of the Machinists, who has often posed as an amalgamation advocate, the notorious Lee of the Railroad Trainmen, and the other standpat leaders have turned down the call of the Maintenance of Way Men for a joint convention to take steps toward amalgamating the standard railway unions and have bitterly attacked the above Conference.

This Chicago Conference of Railway workers is particularly indicative of the practical, systematic, responsible methods pursued by the militants of today. It is totally different from the feverish, though enthusiastic and sincere, impractical, inefficient methods so often resorted to in the past by the rebels in the la-

4) The Labor Herald, January 1923, page 3.

bor movement. For this reason its future is most promising. This conference was totally devoid of dual union sentiment, consisted of 95 per cent of Americans who were anxious to win over the foreign-born workers, and was completely representative despite the fact that thousands of shopmen were still on strike and could not afford to send delegates.

E. THE TRADE UNION EDUCATIONAL LEAGUE CONFERENCE.

And last, but not least, as a measure of the rising tide of the militant spirit of the workers, is the First National Conference of the Trade Union Educational League held in Chicago in August 1922. The significance of this conference to the American labor movement has been thus well described by S. T. Hammersmark of the Farmer Labor Party:

“Occurring at a time of crisis in the labor movement, and crystallizing a great body of sentiment and understanding, developed in the main within the past year and a half, it was a historic and significant gathering. It closed the door on the past generation of mistaken and disastrous tactics of the rebel trade unionists, and opened the way to the new policies of aggressive, constructive organization of the working class forces, the establishment of the militant elements within the mass unions. The Conference marked the beginning of a new period in the labor movement.”⁵⁾

The Trade Union Educational League has in the short period of its existence proved itself to be a powerful rallying center for the militants in the trade union movement. It has proved itself to be the veritable steel rod, the veritable main-spring of the whole left wing in the trade unions of America.

5) Ibid, October 1922, page 24.

The Capitalists Unite.

But the employers have not been asleep during the last year of bitter class war. They are preparing for new struggles. They are solidifying their ranks for a new onslaught. They are reforming their lines of battle. The employing class is re-organizing its army of attack in the following fashion.

The trend toward the concentration of ownership and the centralization of the control of capital is moving on at an accelerated pace. This is a step towards enhancing the offensive power of the army of the employing class and is manifested in the increasing number of mergers during the recent months.

The capitalists are also taking steps to improve the defensive powers of their army. They are partly diffusing the stock of their corporations in order to increase the number interested in their properties and thus, in time of a strike, be able more effectively to mobilize public opinion against the workers. The recent flood of stock dividends has this, as well the evasion of tax payments, for its aim. The latest efforts of the United States Steel Corporation and the Standard Oil Company to interest their employees in purchasing stock is another indication of this policy.

Finally, the Government, whose object is to centralize and direct the whole attack of the employing class against the workers, is also busily forging new chains for the workers and devising new methods of dividing the workers.

A. THE GIGANTIC MERGERS.

Amalgamation is also the cry of the class-conscious employers. They see in amalgamation the means of intensifying exploitation, raising the cost of living, and easily and decisively crushing the workers.

Anent this tendency toward amalgamation by the employing interests, the following enditorial comment of the *New York Globe* is especially enlightening:

"Future historians will undoubtedly refer to the administration of President Harding as the golden age of business consolidation in the United States. Nothing approximating recent development has ever been seen. First, the railroads were told that they might combine, and then one after another amalgamations in steel, in the packing industry, and now finally in copper have been announced.

"....A significant aspect of this merger (copper) is the fact that the public will provide funds to make it possible. Chairman Ryan remarked in his announcement that thru the proposed bond issue the Anaconda Company would acquire control of the Chile Corporation without cost to the stockholders. The issuance of \$150,000,000 in bonds will distribute the real ownership very widely. . . ."⁶⁾

The object of these mergers is obvious. The more concentrated the ownership and the more centralized the control of capital is the more easily can wages be lowered and prices raised, the longer can the employers hold out in strikes, the more equipped are they to control the press and Government officials, and the more ruthless they can be towards the workers.

It would appear to some that this diffusion—or apparent manifestation of a tendency towards a wider distribution of capital—of stock, disproves the theory that ownership of capital is being more and more concentrated. This is not so at all. The great capitalists are constantly increasing the volume of their industrial and financial shares, are steadily increasing the size of their interests in industries and banks, despite the fact that single, individual or small blocks of shares (for that is all

6) New York Globe, January 17, 1923.

the workers or petty business men can purchase) may be sold to an increasing number.

This so-called diffusion does not, in the least, give the wide mass of stockholders the slightest control. They are scattered thruout the country. They have not sufficiently large interests to afford them the ability and the opportunity to participate in the formulation of the corporation's policies. The control of the capital remains highly concentrated.

But the so-called diffusion or spreading out of ownership does afford a great advantage, commonly not recognized, to the employing class. *The increase in the number of stockholders does not lessen the control of the capitalists. On the contrary, it strengthens this control.* Though the great mass of stockholders have no effective voice in the formulation of policies they serve very effectively as a screen for the policies that are determined for them. Having a tangible interest in the corporation, in the form of shares, the stockholders are more susceptible of being won over to the decisions of the corporations during strikes. They are interested in advancing the value of their shares. They tend to favor all policies aiming at the enhancement of the profits and the consequent increase of the size of their dividends.

Having this control of the policies of a corporation, the big capitalists thru a grouping of several large blocks of stock or thru an outright majority stock ownership, make the decisions for the great number of small, scattered shareholders, and thus more easily mould public opinion against the workers. Even many workingmen, owning a few dollars worth of stock in a corporation are unsympathetic or sometimes hostile to the laborers striking against wage cuts, increased hours and unsatisfactory conditions. Thus, working class solidarity is undermined, the worker is given a more favorable opportunity to develop a pro-capitalist psychology though not a capitalist in-

come, and the corporation becomes a momentous force in the life of the country. The history of the Steel Trust bears this out very clearly. This Trust grew up as one of the "good" trusts. It did not crush its opponents. It bought them out. It did not rend them to pieces. It did not devour them. The Steel Trust just swallowed them. And, more than that, the Steel Trust interested many of its workers in stock propositions and pursued the policy of making the savings of the people of medium and insufficient income get together and serve the interests of the powerful capitalists—the policy of the so-called diffusion of stock.

In the present sweep of amalgamation by the capitalists this policy is being pursued with increasing frequency. In the \$50,000,000 theatrical merger and in the mammoth merger of the Anaconda and Chile Copper Companies bonds will be issued, the public will be given the "opportunity" to finance the amalgamation of the employers, and thus public opinion will be won over to the new plunder-bunds. In case of strikes against these corporations the great number of insignificantly small shareholders will be lined up against the strikers who, as it will be very skilfully told to them, are making it impossible for their hard-earned few dollars to net them the rewards of their years of frugality, honesty, intelligence, and what not virtues called into being by the official apologists of the profit-mad employers.

Besides, by garnering the small savings of thousands of workers, either directly or indirectly thru banks and brokers, the huge corporations secure more capital to work with. For the workers this gobbling up of their meagre savings by the big industrial magnates simply means that the bosses will be able to use this additional capital for further exploitation. Thus do the workers increase their employers' power and profits.

Table Showing Recent Huge Mergers—Huge Amalgamations by the Employers.

Companies Merging	Number of Dollars Amalgamating, or Value of Total Assets of the Amalgamated Corporations
1. Affiliated Retail Stores—Five Department Stores of Cleveland, Pittsburgh, St. Louis, and Wheeling, W. Va.	\$20,000,000
2. American Smelting Co. Merger—To have five out of nine directors of new corporation consisting of these firms: Alvarado Mining Company, Hidalgo Mining Co. San Juanico Co. and the control of the Parral & Durango Railroad.	
3. Anaconda-Chile Copper merger	80,000,000
4. Associated Motor Industries—Combining nine manufacturing concerns in seven states.	
5. Armour & Co. and Morris & Co.....	571,941,513
6. Calumet & Hecla and Subsidiaries—The Ahmeek, Alquez, Centennial Copper, and Osceola Consolidated Mining Co. Also acquire the necessary manufacturing facilities to insure the consumption of large output. In this merger the total liquid and semi-liquid assets of the Calumet-Hecla interests alone are	37,700,000
7. Industrial Bank and the Manufacturers' Trust Co. merger. Total deposits of the two banks are....	65,000,000
8. Erlanger-Shubert-Dillingham Theatrical Merger.....	50,000,000
9. Mutual Oil Co. takes over Merritt Oil Co., which is controlled by the Standard Oil Co. of Indiana thru its subsidiary the Midwest Refining Co. The Mutual alone is capitalized at.....	30,000,000
10. Producers & Refiners Corporation on December 11, 1922, took over several smaller independents.	
11. Van Sweringen interests of Cleveland buy the Chesapeake & Ohio Railway thus giving them control of 4,280 miles from Omaha, St. Louis, Chicago to the Eastern Coast.	

Many others can be added to the above. The Interstate Commerce Commission is now considering a plan of consolidating the railways into 19 great systems. Also, on November 28, 1922, it was publicly announced that Wm. M. Wood, President of the American Woolen Co., controlling 40 per cent of the woolen business of the country, was elected Director General and Chairman of the Consolidated Textile Co. operating over 700,000 spindles. Together these firms do an annual business of \$25,000,000. Mr. Wood definitely advised the public not to view this arrangement as an amalgamation of the woolen and cotton interests of the country.

Even the garment industry which, comparatively speaking, is not concentrated or centralized, is making rapid strides towards unification. On January 11, 1923, the Associated Dress Industries of America, representing the largest dress manufacturing companies in the United States, appointed David N. Mossesohn as "dictator of the industry" with powers similar to those exercised by Will H. Hays in the motion picture industry. And now the American Telephone and Telegraph Company is organizing a billion dollar corporation—the biggest company in the world.

B. STOCK-DIVIDENDS DECLARED EN MASSE.

Thus did Senator Brookhart of Iowa explain his resolution on stock-dividends on the floor of the United States Senate on January 16, 1923:

"The Federal Trade Commission advises me that 328 companies declared in 1922 stock-dividends amounting to more than \$2,149,000,000, in some instances the dividends being more than 1,000 per cent, in one instance 2,300 per cent. For instance, the Atlantic Refining Co. declared a dividend of 900 per cent, or \$45,000,000; the Great Northern Paper Company one of 200 per cent, or \$31,689,150; the Gulf

Oil Corporation, 200 per cent, or \$80,000,000; the National Biscuit Company, 75 per cent, or \$21,920,000, while the Standard Oil Company and its subsidiaries declared more than \$700,000,000 worth of stock-dividends, with a percentage as high as 400. There are others as the list made public by me some days ago shows.

"I am trying to ascertain by this resolution, from the Secretary of the Treasury, whether or not these accumulations were all made during the fiscal year 1922; if not, then to ascertain whether or not the Secretary has called upon any of these companies to show cause why they should not be cited for additional taxes under provisions of the Revenue Act of 1921."

This tidal wave of stock dividends has come in the wake of the Supreme Court decisions, in the case of *Eisner v. Macomber*, 252 U. S. 189, by a vote of five to four. Said the Court: "This, however (declaration of stock-dividend) is merely that such dividends are not 'income' within the meaning of the law." This decision is costing the Government a loss of at least \$600,000,000 a year in decreased tax income. The above list is incomplete, and the totals are much higher than the sums found by the Federal Trade Commission to date.

While the workers were piling up enormous dividends for their employers, wages were being slashed, hours were being lengthened, unions were being smashed, and unspeakable conditions were being imposed on the workers. While the Government was permitting these employers thus to defraud it of hundreds of millions of dollars of taxes, it was sending troops, issuing injunctions, and using its full financial powers against the workers striking against indecent conditions of employment and starvation wages. For the workers to revolt against such tyranny was high treason to the Government; for the capitalists to pile up gigantic profits thru such ruthless exploitation was, in the words of the Supreme Court, "merely bookkeeping that

does not affect the aggregate assets of a corporation or its outstanding liabilities."

This flood of dividends is an additional source of conflict between the employing class and the working class. The primary motive of the stock-dividend campaign is not evasion of taxation, great an advantage as this is. The present law, Section 220 of the Act, according to Mr. Mark Eisner, formerly Collector of Internal Revenue for the Third District of New York, is

"So ridiculously worded....that a man might place all his dividend-paying stocks in a holding company and allow the dividends to accumulate without paying a dollar tax to the Government."

But Congress may proceed to change the law and then this avenue of escape from taxation will be lost. The primary advantage in the issuance of stock dividends is that it affords the employers a means of "diffusing" the stock and thus gives them a more advantageous position against workingmen who may strike. As has been pointed out previously the increase of the number of stockholders does not entail for the powerful employers a loss of control of the corporation. It only affords them better means of mobilizing public opinion against the workingmen asking for improved conditions and tends to pit the workers employed in the struck industry against the workers engaged in other industries who happen to own a paltry few shares of stock in the struck corporation. Thru the pressure of this more effective and swifter rallying of public opinion—largely the opinion of those having some tangible economic interest in the property—the Government is afforded a more plausible excuse for stepping in and breaking a strike in the name of the public and in behalf of the lofty cause of crushing those guilty of the high crime of the "restraint of trade."

Said Mr. Max Rolnick, former Deputy Collector of Internal Revenue:

"Thru a wider distribution of the stock it is easier for them to maintain their control, even though they dispose of a large part of their former holdings. The new holders of the shares would probably be more widely scattered, and on that account, any organization among them for control of the company would be a very hard task, to say the least."⁷⁾

And Mr. Perley Morse, head of Perley Morse & Co., accountants and a recognized expert on financial matters posed the significance of the stock dividend flood in these words:

"In my opinion, the reason why a great many of the large companies are issuing stock-dividends is because they expect sooner or later a tax upon their surplus; further, because they are liable to obtain less criticism from the public by paying smaller dividends upon larger capital than larger dividends upon a smaller capital."⁸⁾

The issuance of stock dividends therefore enables the corporations to plead their cases of poverty more eloquently. Their press can then fill acres of paper showing the small and insufficient rates of profit on the heavy investments.

But the issuance of stock dividends is more than a means of evading taxes, is more than a means of mobilizing public opinion against striking workingmen. The issuance of stock dividends is a notice to the workers that the company is preparing for new profits. Apropos of this feature one of the leading banks declared:

"A stock dividend is usually a preparatory step to a larger distribution of earnings in the future."⁹⁾

7) Magazine of Wall Street, November 11, 1922, page 15.

8) New York World, December 6, 1922.

9) National City Bank Bulletin, December 1922, page 12.

And in another declaration on stock dividends the National City Bank went on to make it even clearer that the issuance of stock dividends is a preparation for more profits:

“The value of the new stock to the stockholders is in the expectation that real dividends out of the earnings of the corporation will be paid upon it.

“A stock distribution, while not a real dividend, and therefore not taxable in itself, is a preliminary step to a real dividend, which is taxable.”¹⁰⁾

Here we have it. The employing class is serving notice on the workers that they will have to produce more profits. The issuance of stock dividends is at once a measure of defense and offense for the new onslaught against the workers. It is a measure of defense in the sense of being an inestimable aid for the mobilization of public sentiment against the workers; and it is an offensive measure in the sense that it is a preparation for more profits. It was the huge wage cuts, the lengthened hours of labor, the deteriorating conditions imposed upon the workers that enabled the employers to pile up such fabulous surpluses out of which stock dividends could be declared. Now this surplus has been turned into active capital of the corporations. Capital must have the reward of its virtues—profits. The continuity of the flow of dividends must then be intensified. In the actual life of capital this means more profits to the employers and less wages to the workers. It means more war in industry. Translated into everyday occurrences, intensified exploitation means an intensified class war between the employers and the workingmen.

C. THE GOVERNMENT IS PREPARING.

The Government is actively preparing to defend the interests of the employing class against the workers. In his mes-

10) Ibid, January 1923, page 12.

sage of December 8, 1922, President Harding openly called for legislation to prevent the workers from striking on the railways. He said:

“Public interest demands that ample power shall be conferred upon the labor tribunal, whether it is the present Board or the suggested substitute, to require its rulings to be accepted by both parties to a disputed question.”

In the new strikebreaking machinery proposed by the President the workers will be denied even the present minority representation. No labor members will be on the new Board for the President recommended that “the decisions should be made by an impartial tribunal.” In his opinion “only the public group of three is free to function in unbiased decisions.” It would appear that the President has borrowed some “melifluous phraseology” from the public strikebreaking agent Mr. Hooper, Chairman of the present Railroad Labor Board.

Another indication of the Government’s policy of enmity to the workers and of the strikebreaking role to be played by it in the future, as in the past, is seen in the appointment of Pierce Butler to the Supreme Court. Mr. Butler won his spurs as a lawyer defending the interests of the Chicago, St. Paul, Minneapolis Railroad and as a defender of the notorious Twin City traction interests against the working masses of these cities of Minnesota. Mr. Butler is not even equipped with the formal claims to legal culture as some of his colleagues on the bench are. His appointment is a positive sign of the degree of effrontery and brazenness, of the ugly frankness with which the Government is proceeding to crush the workers.

New Struggles Ahead.

New struggles are ahead. The railway strike has not been settled. The textile settlement is only a truce, and the workers

are already showing restiveness. The miners' strike resulted only in an armistice.

The present mergers and the stock dividend issues are fertile fields for new struggles. The capitalists are preparing. The Government is preparing. New chains are being forged to bind the workers. An attempt will again be made to divide the workers along national lines by instituting such methods of labor importation as the contract system and the establishment of labor-receiving stations in the foreign ports in order to assure the powerful employers the importation of the "right kind" of workers and the right size of profits. And the wage-cutting campaign is not over yet as can be seen from the following remarks of the National City Bank:

"It would be premature to say that the downward readjustment of wages has come to an end; it will not come to an end until a fairly balanced state of compensation exists thruout all industry, including agriculture, but it has been halted by the revival of industry and the immigration law. . . ."11)

Nor are the employers satisfied with the length of the working hours prevailing today. On this problem the National City Bank Bulletin continues:

"One of the reasons for the slow recovery from the effects of the war undoubtedly is the shortening of the hours of labor and the increase in the cost of manufactured and mineral products and of transportation which has resulted from this policy. . . ."

"The theory that as much work would be done in eight hours as in nine or ten has not been established by the experience of the industries generally. The pace of industry is generally fixed by machinery, which as a rule moves at the same pace in an eight hour day as in the longer periods."¹²⁾

11) National City Bank Bulletin, November 1922, page 5.

12) Ibid, page 7.

What shall the workers do to meet the new onslaught? How can they prepare to resist the combined attack of the employers and their strikebreaking Government? How can the workers once and for all put an end to the exploitation and oppression they are now suffering at the hands of the employing class? Where lies the road to working class freedom? These are pertinent questions for every worker.

The workers must answer these questions and answer them soon. In the answer to these questions lies the future of the working class of America.

CHAPTER XIV.

CONCLUSION

A Renewed Period of Depression is Coming.

WE are on the eve of new and gigantic struggles between the employing class and the working class. The present period of so-called prosperity is only a flurry. It is a temporary condition. It is only a spurt in prosperity. The economic conditions are highly unsettled and depression with its embittered labor struggles is on the way. This is the opinion of many of our leading financial experts.

Mr. J. H. Tregoe, Executive Manager of the National Association of Credit Men, has made a survey of business conditions for 32,000 wholesale, banking, and manufacturing members of the association. His findings read in part:

"I discovered a confused sentiment, in some places bordering on the pessimistic, and others making a broad swing in the opposite direction. We must be watchful against committing errors just now. Therefore, I say emphatically that we are not bordering on a boom. There is nothing in the situation at home or abroad that would suggest one."¹⁾

And in an address before the Chicago Association of Commerce on November 15, 1922, John Moody, noted authority on economics and finance, said:

"It seems a foregone conclusion that the immediate future of American business is not indicative of a

1) New York Times, October 9, 1922.

boom; reaction from the present revival is not many months ahead of us, and while the first few months of 1923 may be relatively prosperous, we may run into a renewed period of deflation before the end of 1923.

"The Europe that is pictured to us in the public prints is a fiction. We are told that Germany can be made to pay 120,000,000,000 gold marks indemnity within thirty years. This is fiction. We are told France, Italy, Belgium and others can be made to pay us \$6,000,000,000 worth at 4½ per cent within twenty-five years. This is fiction.

"We are told that the \$4,000,000,000 Great Britain has contracted to repay us will be an unmixed blessing to the American people, will enable us to reduce our own taxes and retire our own domestic debt with greater rapidity. This is all fiction. . . .

"Mr. Hoover talks of the ease with which the Allies can pay their debts and at the same time wax rich and prosperous again, but Mr. Hoover is talking fiction.

"People who have no credit can do no business.

"What may reasonably happen in 1923 in the security markets is a sharp culmination of the recent long rise in stock prices in the early part of the year; a moderate strain on the money market during the winter and Spring, followed by pronounced ease in interest rates later on, with bond prices holding for a while, then sharply weakening, and finally setting in for a renewed rise which may be of long duration.

"The only possibility to change this picture would be unexpectedly favorable developments, but they are not in sight."

In so far as European conditions are concerned they are growing worse, according to the National City Bank:

"The poverty and lack of purchasing power of Europe is a constant factor in our markets and a continuing menace to our prosperity. No matter how favorable our domestic conditions may appear, we cannot safely disregard the fact that agriculture must have

an outlet in Europe for the usual quantity of its products."²⁾

How important a factor Europe is in the stability of our economic conditions, even without consideration of our manufactured exports losing a market, is made clear by the following illuminating estimate of conditions made by the Economic Department of the University of Idaho:

"The farmer's prices in the last analysis are set by foreign demand and foreign ability to pay for his products. If the farmer proposes to limit himself to feeding the people of the United States he might as well go out of business. Over 55 per cent of our exports are agricultural products and raw materials. About 75 per cent of our exports of agricultural products and raw materials go to Europe and about 25 per cent to the rest of the world. . . ."³⁾

These are the factors making for an unfavorable economic outlook. America cannot hold herself aloof from the world. The American economic structure is an integral part of the world economic system. Today America holds two-fifths of the world's stock of gold; produces more than 50 per cent of the world's iron and steel; 45 per cent of its grain; sixty per cent of its copper and 54 per cent of its cotton. Unavoidably the calamities of Europe become the calamities of America. It is only a matter of time. Capitalism is international.

The Farmers in Dire Straits.

In their next attack on the workers the employers are going to pose as the saviors of the farmers. They will thus try to divide the ranks of the toiling masses. They will point to the des-

2) National City Bank Bulletin, January 1923, page 1.

3) The Idaho Economic Bulletin, November 1922, published by the Department of Economics of the University of Idaho.

perate condition of the mass of farmers not in order to help them but in order to blame the workers for this sad plight of the agricultural masses. They will cry for lower wages in order to "equalize" the purchasing power of all sections of the population. They will attempt to mislead the farmers with the fraud that their salvation lies in a further reduction of wages and deterioration of the working conditions of the industrial laborers.

It is this desperate condition in which the farmers find themselves that makes it imperative for the working farmers and city workers to unite against their common enemy—the capitalist exploiters.

The employers are preparing to utilize this situation as an excuse for an intensified attack on the workers. On October 24, 1922, agents of the Packers, the International Harvester Trust Company, and the United States Chamber of Commerce gathered in Chicago to "help" the farmers. The plan there formulated was a campaign to be waged by chambers of commerce, trade associations, banks, and railway committees to win over the farmers to the side of big business.

There can be no sound economic conditions, even from the point of view of the employing class, when the farmers are so heavily oppressed. This is the third consecutive year in which the farmers have received prices for their produce below the cost of production to them. How serious this situation is can be seen from the fact that agriculture is the biggest industry in the country. It is from eight to ten times the size of its nearest rival. Thus the workers must carefully and deliberately prepare to meet the problems arising out of this situation—a situation fraught with the greatest dangers to the workers unless they are on guard.

Unity of Workers against Unity of Employers.

The workers must pit unity against unity. The workers must solidify their ranks in order to meet the coming attack. They must do more than that. They must prepare to end the rule of the employing class and supplant it with the rule of the working class. The workers are the only ones who can save society today from an irretrievable catastrophe.

In formulating a policy of practical, militant action, the workers must first of all avoid the mistakes of their past. They must repudiate their policy of *dependent* political action whether it takes the form of outright, unadulterated Republican or Democratic servitude or the form of camouflaged servitude as in the case of "non-partisan" political action—the pet theory and criminal practice of the reactionary labor bureaucracy. The workers must forthwith take steps to create a machine for effective independent working class political action—a Labor Party.

Then, the workers must also revitalize their existing unions. They must amalgamate their backward, inefficient, crippled craft organizations into modern, efficient, fighting industrial unions; into organizations that will be in line with the development of capitalist industry itself. These two policies supplement each other.

The Need for Amalgamation.

The best argument for amalgamation is found in the conditions of industry itself. Industry today is highly concentrated and centralized. There is a powerful united front of billions of dollars against the underpaid, exploited workingmen. The workers must meet the mergers of the capitalists with the mergers of their own organizations. *To the workers the problem is amalgamation or annihilation.* There is no earthly use in fulminating against the cruel, bloodthirsty trusts and the deals between the captain of one industry and the baron of another.

There is no outside, heavenly moral question attached to that. It is a matter of industrial development that evolves its own morals and ethical codes as time goes on. *American Railroads*, official organ of the American Association of Railway Executives, the one Big Union of Railroad Capitalists, has stated this very clearly in the following:

"Large industrial enterprises require large commitments of capital; a great railroad system could not possibly be financed by a small country bank, or by a great number of small banks directly without incurring heavy expenses.

"It is natural and necessary therefore for large industries and large banks to have dealings with one another. . . ."4)

These dealings then develop into financial marriages in which legitimacy is an insignificant matter. When the workers strike against the coal operators, they strike against the steel magnates, the railway kings, the banking lords, the shipping knights, and the other titled heads of the kingdom of capital. The cleavage between finance capital and industrial capital in America was healed more than a decade ago. Thru a highly intricate system of interlocking directorates, the men of finance and industry have become one. It is a united enemy employing *powerfully amalgamated organizations that is fighting the workers*. And there can be only one effective answer the workers can give to their enemy. The workers must talk to their employers in the only language they can understand—power. Otherwise they are doomed. Says Roger W. Babson, one of the leading financial advisers to the employing class:

"So long as the unions are divided as they are, and particularly when the strike starts with those of least consequence and with those whose places are easiest to fill, the country need not worry. . . .

4) *American Railroads*, May, 1922, page 2.

"In other words, W. Z. Foster is right when he says that what the unions of the United States must do, if they are to become effective fighting bodies, is to get away from the trade union form of organization and to organize industrially. Mr. Gompers' attempt to answer Foster by besmirching his character does not touch this fundamental fact. The only great unions which have put up a winning fight in the past two years have been industrial unions."⁵⁾

The workers must not be deluded by the loud talk of some of their conservative and reactionary leaders, no matter what the volume or pitch be. Particular care must be taken against the so-called, self-styled revolutionary leaders of the type that infest the Socialist Party. These leaders often have "the voice of Jacob but the hand of Esau." They have become part and parcel of the reactionary Gompers machine. From their conduct at the last convention of the American Federation of Labor this is obvious. Said Wm. Z. Foster:

"But bad as was the showing of the railroads-miner opposition, that of the Socialist minority was even worse. The time was when the Socialists in the Federation waged a determined battle against Gompersism, but now, with the exception of a few irreconcilables, they seem entirely domesticated. They went along with the Gompers machine 100 per cent, voting for all the administration candidates and measures, and against everything in any way radical or progressive. They voted against trade with Russia and industrial unionism. Their leader was Benjamin Schlesinger, President of the International Ladies' Garment Workers' Union, who has gone over to Gompers boots and baggage. For his treason he was elected delegate to the British Trade Union Congress."⁶⁾

5) Roger W. Babson's Confidential Bulletin, Number L. 195.

6) Labor Herald, August, 1922, page 10—Wm. Z. Foster.

The workers must immediately rally to the amalgamation campaign waged by such bona-fide militant trade union bodies as the Trade Union Educational League. They must work for un-hyphenated, undiluted, genuine amalgamation of the archaic craft unions into fighting industrial unions. Never again must there be another situation where nine railway unions are at work while seven are on strike as occurred in 1922.

The Need for a Labor Party.

The class struggle between the workers and their employers is a political struggle. Hundreds of thousands, millions of American workers feel the truth of this, but do not know it yet. Whenever the workers strike, whenever the workers resist the onslaught of their enemy, the Government comes to the rescue of the employing class and centralizes and organizes its attack against the struggling workingmen. This tendency is marching forward at an ever-accelerating pace. The Government is a tool in the hands of the employers with which to oppress the workers and perpetuate the existing order of exploitation and oppression. The Government is a strikebreaking agency. This is the role played by the Government in the recent strike wave—particularly in the textile, mine, and railway strikes.

What has been the answer of Gompers and his lieutenants to the strikebreaking activities of the Government? When the Attorney General Daugherty charged Gompers with the "high crime" of mere criticism of the Government, the President of the American Federation of Labor gave vent to fury culminating in the following confession of bankruptcy.

*"The Attorney General's statement cannot be sustained by the record."*⁷⁾

7) American Federation of Labor News Letter, September 23, 1922.

It is this attitude that is responsible for the suicidal non-partisan policy advocated by the conservative and reactionary leaders of the labor unions. In its years of practice this policy has meant indorsing Governor Ammons of Colorado under whose administration the Ludlow massacre was organized; indorsing Hiram Johnson who dared not vote against Newberry, and who recommended the appointment of Wm. J. Burns, the notorious labor-baiter whom he defended at the hearings on the impeachment of Daugherty; for the railway unions it has meant the indorsement of Fess and for the A. F. of L. the indorsement of Pomerene in Ohio; for the rewarded friends of labor in Congress it is likely to mean the choice of Representative Cooper of Wisconsin, who applauded the strikebreaking policy of Harding against the railway workers, as leader of their group in the House. But for the workers—this policy has meant within a brief period of less than two years; a myriad of injunctions, picketing being declared illegal, the Child Labor Law, weak as it was, being held “unconstitutional,” and the unions being declared liable under the law for the loss incurred by an employer during a strike.

The criminal stupidity of this policy has been more clearly seen and openly admitted by men not in the labor movement, than by some of the conservatives in the labor movement. Said New York State Supreme Court Justice John Ford on January 19, 1923:

“No impartial student of the subject can doubt that the courts are partial to accumulated wealth; that they are on the side of the powerful employer and against the employees, and that they are daily, thru judge-made law oppressing the poor and lowly in the interest of amassed capital. . . .

“The lawyers in turn are the employees of wealthy men and large corporations. The Bar Association of this city presumes to tell the people who should and

should not be their judges. That association, like every other similar organization, is controlled by a handful of its members, the so-called leaders of the bar. Without exceptions these leaders are men retained by the great corporations to protect them in their special privileges and power and to exact tribute from the public. Is it any wonder that judges indorsed by such men are disposed to declare laws unconstitutional and grant *ex-parte* injunctions against labor organizations?"

It is this group that mainly supplies the "good" men whom the workers are called upon to vote for and put their faith in as representatives of labor. Both parties are owned and controlled by the employing class. The film between the Democrats and the Republicans has disappeared.

The trade unions of America must form a Labor Party totally independent of and opposed to the existing political parties of the employers. This Party should be organized on a federative basis permitting all working class and working farmers' groups joining the right to maintain their organizational identity, but unifying them for the common political struggle against the one enemy—the employing class. This Party must have a working class program; it must be unreservedly committed to the interests of the working class and the working farmers.

The organization of a Labor Party is the first step that the workers must take towards wresting political power from their oppressors, the employing class. The workers must substitute their own Government for the present Government of the employing class. They must supplant the present dictatorship of the capitalists with a Government of the workers, by the workers and for the workers. The workers are the only ones who can save society today from the ruin that is threatening to overtake it. The working class is the only class that can do this because the workers are the only ones whose interests are not

based on the exploitation and oppression of wide masses of the population.

Only after the working class has won complete political power can it proceed to end the existing capitalist system of exploitation. Only then can the workers proceed to organize industry socially.

We have seen that in its very structure the American governmental system is unfitted to serve as an organ of complete working class liberation. The American workers, as has been shown by their own experiences and by the experiences of the workingmen of other countries, will have to build their own State machinery for this purpose. *The basis of this State machinery will be the organizations of the city and rural laboring masses.*

The fight for working class freedom is a fight for freedom of all society. Today it is a fight for the very existence of society. Upon the working class rests the future of civilization. The workers must not falter in meeting this task. The immediate situation demands the unification of the fighting forces of labor against the employing class. This can be achieved only thru the amalgamation of the craft into industrial unions and the organization of an independent working class party embracing all the oppressed agricultural and industrial laboring masses under the leadership of the workers. These are the immediate steps that must be taken by the workers in order to organize for the attainment of complete freedom from all exploitation and oppression—the Communist society.

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